

# Braille Monitor

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DECEMBER, 1984

VOICE OF THE NATIONAL FEDERATION OF THE BLIND

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# THE BRAILLE MONITOR

PUBLICATION OF THE  
NATIONAL FEDERATION OF THE BLIND

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DECEMBER 1984

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## THE BRAILLE MONITOR

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### THE NATIONAL FEDERATION OF THE BLIND

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Letters for the President, address changes,  
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should be sent to the National Office.

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THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION  
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES

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## CONVENTION BULLETIN

It is time to think about the 1985 NFB convention, and it promises to be one of the best and most interesting we have ever had. We are going to Louisville. We will headquartered at the Galt House Hotel.

Located on the banks of the Ohio River, the Galt House is one of the most interesting and comfortable hotels in the country. It is new and luxurious. It has excellent restaurants and superb facilities. Our rates continue to be unbelievably good. Single rooms \$22; doubles and twins \$26; triples \$30; and quads \$33, plus tax (currently 9.2 percent). There will be no charge for children who stay in the same room with their parents.

All requests for reservations should be sent to the Galt House Hotel, 4th and River, Louisville, Kentucky 40202; telephone 502-589-5200 or toll-free 800-626-1814. When writing or calling, you will need to indicate that you are making reservations to attend the National Federation of the Blind convention. This is necessary to get our special rates. For each room send a check or money order in the amount of \$20 made payable to the Galt House Hotel. The \$20 (which is not refundable) will apply toward your room bill. Your request for reservations should include the following: 1) your name and address; 2) your date of arrival; 3) your date of departure; and 4) what kind of room you want—single, double, triple, or quad.

Registration will begin Sunday, June

30, but as usual, many of the delegates will probably arrive by Friday, June 28. The meeting of the Board of Directors (which is an official business session of the convention and which is open to all) will occur at 9:00 Monday morning, July 1. Business sessions of the convention will occur Tuesday morning, Tuesday afternoon, Wednesday morning, Thursday morning, Thursday afternoon, Friday morning, and Friday afternoon. Final adjournment will occur at 5:00 Friday afternoon. The banquet will be held Thursday evening, July 4.

As has been the custom in recent years, most of the last day of the convention (Friday, July 5) will be devoted to resolutions and business. The agenda will be so arranged as to allow sufficient time for full discussion and debate on all questions.

One of the beginning activities of the 1985 convention will be the first National Conference on the Status of Education of the Blind. It will occur on Saturday, June 29, and will be jointly sponsored by the Student Division, the National Association of Blind Educators, the National Association to Promote the Use of Braille, the Parents of Blind Children Division of the National Federation of the Blind, the Committee on Parental Concerns, and Future Reflections magazine. This will be an important conference, and all of those who have an interest in the quality of education of the blind should plan to be present and participate.

On Saturday, July 6, there will be a seminar on Job Opportunities for the Blind. There very well may be a variety of other meetings and activities on both Saturday, June 29, and Saturday, July 6. Our conventions are becoming increasingly more varied, more dynamic, and more important.

Scholarships will again be awarded at the convention. There will be a \$6,000 scholarship, four \$3,000 scholarships, a number of \$2,500 scholarships, and a variety of others. It would appear that we will be giving more than two dozen sizable scholarship awards during the convention. Details will appear in an upcoming issue of the Monitor.

An interesting part of the convention is the door prizes. Chapters and affiliates should begin now to collect these. In the past we have informally put a minimum value of \$25 on prizes; but many have been worth considerably more. If you wish to mail door prizes to Louisville before next summer, send them to Mr. Charles Allen, 667 Montclair, Louisville, Kentucky 40601.

One of the high points of next summer's convention should be the announcement of the winners of the Associates contest. Keep in mind that the first prize is \$1,000, the second prize \$500, the third prize \$200, and the fourth prize \$100. It will be remembered that Sandy Sanderson of Alaska has been the repeated winner of the first prize. However, a number of other people claim that they intend to make a strong challenge this year. In accordance with the practice initiated at the 1984 convention, the winners of the 1985 Associates contest will be announced at the Monday morning Board of Directors Meeting.

In recent years we have tried to streamline our process of considering resolutions. The procedure has worked well, and it will be continued in Louisville in 1985. If a resolution is to be considered, it must be in the hands of the Chairman of the Resolutions Committee in written draft form no later than two o'clock Sunday afternoon, June 30. Furthermore, someone must be present to speak in behalf of the resolution and to negotiate concerning possible changes in wording or content. Of course, we will continue our policy of not permitting the Resolutions Committee to bottle up a resolution. If the author is not satisfied with the Committee's action, he or she may take the resolution directly to the convention floor. The resolutions passed by the convention are statements of policy, which determine the actions and direction of the Federation.

Betty Niceley, the President of the Kentucky affiliate, can be reached at the following address: 3618 Dayton Avenue, Louisville, Kentucky 40207. Her telephone number is 502-897-2632. Betty and the other Kentucky members say that they are going all out to make this the best convention we have ever had.

A tour of the American Printing House for the Blind will be available, and there will also be a ride on the Belle of Louisville, which is an authentic paddle wheel river boat complete with steam calliope. In fact, each afternoon the Belle customarily cruises up to the landing beside the Galt House and plays concerts on its steam calliope.

Downtown Louisville has been restored and renovated to combine the convenience of the modern with the charm of the last century. Within easy walking distance of the Galt House are extensive shopping

malls, elegant restaurants, theaters, and places of historic interest. Louisville is the home of Churchill Downs, bourbon whiskey candy, mint juleps, and wonderful hospitality. It will be a

convention to remember, an experience to treasure. Plan to attend the 1985 convention of the National Federation of the Blind, and get those reservations in!

## THE BATTLE AGAINST INSURANCE DISCRIMINATION CONTINUES: A REPORT ON PROGRESS IN THE 98TH CONGRESS

Discrimination against the blind by insurance companies is still a fairly common occurrence. If a person newly blind, for instance, submits an application for life insurance, many companies will refuse to sell the coverage or want to charge an extra rate. The industry standard seems to be that acceptable blind people are only those who are "healthy and well adjusted." To meet this test, a person must be blind for at least two years, or in some cases five years, depending on the insurance company's rules. But who is "healthy and well-adjusted" anyway? How many sighted people could meet that test? How many insurance executives could?

We have said such practices which single out the blind for special treatment are discriminatory. They are because there is not a shred of reliable evidence to back up the idea that blind people are greater risks than others. If there was evidence, it would likely show that the newly blind are safer than the average working person sighted or blind. That would be a rational conclu-

sion based on actual experience. But discrimination rarely, if ever, has a rational basis.

In 1978 the National Association of Insurance Commissioners (NAIC) verified what we had been saying: Insurance companies commonly practice unfair discrimination based on blindness. So the NAIC promised to do something about it. A task force was appointed, and a model regulation was developed. One of our national leaders, James Omvig, (at that time a resident of Iowa) was appointed to serve on the task force, along with several representatives of the insurance industry and a few insurance commissioners. The task force drafted the model regulation which was then approved by all of the state insurance commissioners when the NAIC met in Washington, D.C. in June, 1978.

The model regulation is intended to prevent insurance companies from unfairly discriminating based on blindness. It reads in part: "The following are hereby identified as acts or practices which constitute unfair discrimi-

ination between individuals of the same class: Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness, except where the refusal, limitation or rate differential is based on sound actuarial principles or is related to actual or reasonably anticipated experience." Although that language is somewhat vague and subject to interpretation, it appeared that the model would stimulate reforms in the insurance industry sufficient to stamp out the most common forms of discrimination practiced against us. It would require, for example, that policies be sold at standard rates, that we be sold waiver of premium and accidental death benefits if they are available to others, and that we be included in health insurance programs without paying extra rates or accepting more limited coverage. The state insurance commissioners and industry representatives said this was their intention. Everyone agreed that the model regulation, prohibiting insurance discrimination based on blindness, should be adopted by all the states so we could count on uniformly fair treatment nationwide.

This was our hope and our objective. But soon we began to find that something had gone wrong. Not all of the state insurance commissioners were willing to implement the NAIC model. Some wanted to limit its scope to life insurance only, and others wanted nothing to do with it at all. In some instances we were forced to go to the legislatures of the different states to obtain the pro-

tection we thought NAIC had promised to help us get through less formal means. Of course, some states acted enthusiastically and immediately. But by 1983 it became clear that our progress to combat insurance discrimination at the state level had slowed to a virtual standstill. Furthermore, there was a marked lack of interest by the various state insurance departments in grappling with a problem they saw as relatively minor in comparison to their broader responsibilities of monitoring and regulating the insurance industry.

According to NAIC, the following states have currently enacted laws or regulations which are supposed to prohibit insurance discrimination against us: Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, and Wisconsin. So thirty-five states currently have laws or regulations on the books which should be helping. However, in all too many instances the state laws and regulations have not worked, or at least they have not worked effectively to prevent discriminatory acts against the blind before they occur.

The regulation of insurance is traditionally a state responsibility. But what happens when all states can't agree on a certain policy or when some states refuse to attack a problem (such as discrimination based on blindness) which is documented to exist? When this

occurs, Congress should get involved. So on January 25, 1984, Representative Jim Bates (Democrat of California) introduced H.R. 4642, a bill entitled "The Fair Insurance Coverage Act." That bill was designed to prohibit discrimination in the issuance of insurance policies based on blindness or degree of blindness. It quickly attracted a number of cosponsors in the House of Representatives, totalling 125 in all by the time Congress adjourned in mid-October. A companion bill (S. 2775) was also introduced in the United States Senate on June 19, 1984, by Senator Charles Mathias (Republican of Maryland).

As in so many other battles on behalf of civil rights and equal opportunity for the blind, it is the National Federation of the Blind that has stood forth to challenge insurance discrimination. So, it is not surprising that when the Fair Insurance Coverage Act was scheduled for a hearing on June 27, 1984, Federation witnesses were predominant. In fact, there was no witness from the American Council of the Blind, the Affiliated Leadership League of and for the Blind of America, the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped, the American Foundation for the Blind, or any other organization purporting to represent the blind, except for one witness. That was Ralph Sanders, immediate past president of the National Federation of the Blind, who appeared at the June 27 hearing in his capacity as President of Blind Industries and Services of Maryland. Mr. Sanders appeared on the first panel of witnesses along with James Gashel, Director of Governmental Affairs for the Federation, and James Omvig, President

of the National Federation of the Blind of Maryland. The hearing was held before the House of Representatives, Committee on Energy and Commerce, Subcommittee on Commerce, Transportation, and Tourism. That Subcommittee is chaired by Representative James Florio (Democrat of New Jersey). Mr. Florio was presiding as James Gashel presented the overall NFB position and outlined our case for federal legislation. Mr. Omvig in his statement gave extensive background on our previous efforts before the NAIC and state insurance commissioners. Mr. Gashel's statement opened the hearing:

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**National Federation of the Blind  
Testimony Before the  
Subcommittee on Commerce,  
Transportation, and Tourism  
Committee on Energy and Commerce  
U. S. House of Representatives  
Washington, D.C.  
June 27, 1984**

Mr. Chairman, my name is James Gashel. I am Director of Governmental Affairs for the National Federation of the Blind. My address is 1800 Johnson Street, Baltimore, Maryland 21230. I am pleased to be here today representing the views of blind insurance consumers.

Our Federation, Mr. Chairman, is a 50,000-member nationwide organization made up almost entirely of blind persons. We have a state affiliate in each state and the District of Columbia and local chapters in most sizable population areas. Each of these units within the National Federation of the Blind is led by blind people, and the membership

of each organization is predominantly blind. Thus, we can truly say that our organization is the blind, speaking for themselves.

We often say, Mr. Chairman, that the real problem of blindness is not the loss of eyesight. The real problem is the misunderstanding and lack of information which exist. This is a premise which has proven to be true in the lives of thousands of blind men and women in our country today. We have discovered that the principal barriers that block many blind people from leading normal, active, happy lives are not made of bricks or mortar and do not spring from the physical environment. Rather, we are faced with barriers of ignorance and myth and misconception. They create social isolation and segregation of the blind from the main channels of social and economic opportunity. The barriers of ignorance and myth are deeply anchored in our society and in our culture. From childhood we are all taught that blindness is a tragedy. Who among us has not experienced to some extent the haunting fear of the dark? That fear is expressed in literature and in our language. This is the same fear which is commonly, yet irrationally, associated with blindness, conjuring up the image that those of us who are blind wander helplessly through a world of darkness. Mr. Chairman, we are here to discuss specifically the treatment of the blind in insurance. But whether it is in insurance, employment, education, civic endeavors, political action, or daily social interaction with others, the common experience for people who are blind is the struggle to be seen as equals in a society which regards and

often treats us as inferiors.

While we do not expect Congress to be able to prescribe a certain social attitude which should prevail throughout our land toward blindness and blind people, we do believe that certain types of behavior toward the blind can be required or altered by legislation. Therefore, we specifically support H.R. 4642, the Fair Insurance Coverage Act, now before this Subcommittee for your consideration today. H.R. 4642 is aimed at eliminating the elements of myth and superstition about blindness which have long governed certain insurance industry practices with respect to the blind or partially blind. This bill calls for a rational, objective approach to providing insurance coverage for persons with limited vision, including the totally blind.

Mr. Chairman, we come to this hearing after years of experience in attempting to resolve certain elements of insurance discrimination based on blindness or partial blindness. We have worked both with the insurance industry and with state regulators. The results of these efforts have been mixed at best. Several witnesses on the next panel will present examples of personal discrimination they have encountered in dealings with various insurance companies and on a variety of types of policies. In other testimony we will also present more background on our efforts to grapple with insurance discrimination through the state regulatory and enforcement process. With this in mind, I will attempt in this statement to summarize the continuing problem of insurance discrimination and explain more fully what we see as the need for a

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specific federal prohibition.

#### **Discrimination in Insurance Based on Blindness or Degree of Blindness Continues to Exist**

Section 2(a)(1) of H.R. 4642 contains a declared finding of Congress "that discrimination in insurance based on blindness or degree of blindness does occur and that attempts to remedy this form of discrimination through State laws and regulations have had limited success." That discrimination based on blindness does occur in the insurance industry is not merely a matter of speculation. For example, an industry publication entitled Who Writes What In Life and Health Insurance annually lists approximately 268 insurance companies, placing greatest emphasis on those companies which sell "substandard" and "unusual" coverages. The fact that the subject of blindness coverage is addressed in this publication at all indicates something of the general problem we face. Blind people are listed under the category of "unusual insureds."

More telling than this, however, is the fact that only a small minority of the companies listed (for example in the 1982 volume of this publication) are apparently interested in writing insurance on blind or partially blind people. For instance, thirty-eight companies were listed in 1982 as specifically providing life insurance coverage for persons totally blind in both eyes. This is up from thirty-three companies listed in the 1979 volume. In health insurance only ten companies showed an apparent interest in covering totally blind people according to the 1982 pub-

lication. This was a decline from fourteen listed in the same category during 1979.

In life insurance many of the companies listed in Who Writes What illustrate another pattern we have found throughout the industry. This is the practice of imposing limits on certain coverage or refusing to sell riders which are otherwise available to other consumers. In 1982, thirteen of the thirty-eight companies reportedly willing to sell life insurance to blind people imposed a requirement that the blind applicant must be "self-supporting with a good employment record." This condition would exclude the vast majority of blind adults aged 18 through 64 who, through no fault of their own, have been unable to obtain full-time employment and to become self-supporting. Even so, such individuals are not necessarily greater risks than blind people who are self-supporting with good employment records. So, the distinction is artificial and unfair. Several of the thirty-eight companies in question apparently agree, since they do not impose the requirements of self-support and sound employment. Another practice in the life insurance industry is a frequent refusal to sell coverage such as waiver of premium and accidental death. Only twelve of the thirty-eight companies in question reported a willingness to sell the waiver of premium and accidental death riders to blind people. Five of the twelve imposed no special requirements, and another five would sell if the applicant is in good general health. But, it appears that twenty-six out of the thirty-eight companies who would sell straight life insurance policies to blind people were

at the same time not interested in providing the waiver of premium and accidental death riders.

Turning to health insurance, only two of the ten companies in question seem to impose no special limitations or requirements on blind applicants. Of the remaining eight, it appears that only two of the companies listed are interested in selling health insurance to persons who are blind in both eyes. Other companies among these eight will sell various types of health insurance coverage to persons with limited vision while excluding coverage for people who are actually blind. Some companies will sell only certain types of health insurance plans but not other forms of coverage. Only Prudential indicates a willingness to sell its disability income policy at standard rates, leaving the clear implication that other companies may well impose rating requirements on their health insurance coverage.

Here are some illustrations from the underwriting rules of certain insurance companies which write personal individual health insurance. Persons who are blind applicants or insureds with the John Hancock Mutual Life Insurance Company are likely to find themselves placed in one of several special class categories, depending upon the nature and severity of the visual disorder in question. For instance, Special Class VI includes people who will pay an extra premium of 50%. This rule is applied to individuals seeking to purchase disability income policies if the applicant is blind in one eye due to an injury. If the applicant or insured under John Hancock's hospital and medical insurance programs has visual acuity uncorrected of less than 20/800 in one eye and less

than 20/550 in the other, uncorrected (in other words a person who is likely to be legally blind), there will be an extra premium charge of 75%. This also applies if such a person's vision is correctable in the better eye to 20/90. In short, anyone having a mild to serious vision impairment will pay premiums of anywhere from 50% to 75% greater than those charged to the non-blind by John Hancock.

The New York Life Insurance Company is somewhat less specific in describing the underwriting action to be taken in the case of people who are blind or visually impaired. In general, the company advises its agents to submit applications for consideration. The instruction "to submit" according to New York Life may mean any of the following actions will be taken: the policy may be written standard; there may be an exclusion rider; sickness benefits may be limited to a two-year plan; amount of benefit may be reduced; waiting period for commencement of disability may be increased; the applicant may be placed in a "special class"; or, the applicant may be "not acceptable on any basis." The Medical Underwriting Guide of New York Life makes clear that these may be the results of individual considerations made by its underwriters on each application submitted on behalf of a blind person seeking health insurance coverage. Meanwhile, the Commercial Travelers Mutual Insurance Company appears to take a more extreme position. Its underwriting rules advise that people who are blind in both eyes may be refused accident and sickness income benefits or be charged a premium 100% greater than standard. For hospitalization, the options are to refuse the

coverage or pay a premium rate of at least 50% greater than standard, and the same holds true for major medical.

The Massachusetts Casualty Insurance Company may perhaps represent the most extreme position of the industry in its apparent refusal to sell health insurance to blind people. Its underwriting rules advise the agents that there is no need to gather any additional information from applicants who are blind and that the probable action will be to decline the coverage. But it appears that the Massachusetts Casualty Insurance Company is not alone in its apparent practice of not selling health insurance to people who are blind. In fact, the data available to us indicates that only a minority of the health insurance providers doing business throughout the United States are willing to sell any form of health insurance coverage to blind people on equal terms with persons who can see.

From the foregoing, there can be little doubt that a large number of companies throughout the insurance industry tend to treat persons who are blind or partially blind as belonging to a suspect class at best and a special risk category at worst. The deviations among various insurance companies are obviously marked. For instance, the New York Life Insurance Company will sell a basic policy plus waiver of premium and accidental death coverage to any blind person who is well adjusted and has been blind for at least five years. But, the Central Ohio Insurance Company will likely decline to insure the life of anyone who is totally blind, regardless of length or cause; so advises its field underwriting guide.

A recent publication entitled Risk

Classification In Life Insurance summarizes the industry practices by concluding that many companies continue to rate for blindness (in other words treating blind people as a class) as well as rating for cause of blindness or other increased risks, if applicable. In other words, the blindness rating is added to all other ratings which may be applied to an individual applicant or insured. The publication concludes that it is impossible to assess whether this practice complies with state regulations, since no evidence is offered to justify the blindness ratings. Yet, only three of twenty-two companies analyzed in this particular presentation seem to have eliminated the class treatment of blind people from their rating structures. Hence, we conclude that state regulations have so far failed to eradicate insurance discrimination based on blindness or varying degrees of visual loss.

#### **State Regulation Standing Alone Is Inadequate**

As many as perhaps thirty states currently have laws or regulations which purport to limit insurance discrimination based on blindness. It is the responsibility of the state regulatory agencies to enforce these prohibitions. But, the evidence shows that state enforcement standing alone is not capable of fully providing a reasonably effective ban on discrimination.

In the first place, not all states are covered. The lack of a national standard for the industry to follow in dealing with partially blind consumers has tended to preserve discriminatory practices which are technically out of step

with regulations in many states. This conclusion is supported by the evidence showing variable practices toward the blind already noted. The point is that industry practices of discrimination have tended to linger on because they are still permitted in many jurisdictions, even though they may be outlawed in others. State by state prohibitions have simply not penetrated the complex underwriting practices of this multi-state industry.

A substantial reason for this failure may be the method of review and enforcement used by state regulators. In most states, it is essentially a complaint-generated scheme. Insurance companies are normally not required to file detailed information about their underwriting practices with respect to any particular group, including the blind. So, state regulators simply do not acquire sufficient information to anticipate which underwriting rules of which companies might lead to discrimination. But even in those states where filings are somewhat more complete, the underwriting rules are not subject to advance approval prior to their use. Actually, it seems that the underwriting rules, where they are filed at all, are more a matter of information for the insurance regulators than a means of protecting the public by advance approval or disapproval.

In point of fact, state filings made by insurers tend to be quite general in nature, at least where underwriting rules are concerned. So, as a consequence, there is no way for personnel (even dedicated ones) in state insurance departments to order the removal or cessation of a particular underwriting practice which smacks of discrimination.

Such practices will only be called to their attention when or if they become the subject of complaints. Even then, there is no assurance that unlawful practices will be eliminated from the underwriting rules merely on the basis of one complaint. There is simply no mechanism in place state by state to review underwriting practices before they are imposed on blind consumers. Visit the insurance regulatory agency of any state and attempt to learn about underwriting practices applicable to blind people. I have no doubt you will find what I am saying to be the case. Furthermore, you will likely be told as I was, "we don't review these filings, they just go on our shelves for information."

### Specific Prohibitions

Section 4 of H.R. 4642 lists several actions or types of actions which insurance companies would not be allowed to take if the reason is an applicant's or insured's blindness or degree of blindness. Among other potentially beneficial results, these prohibitions would alter or eliminate the following typical industry practices:

(1) An insurer would not be permitted to establish special risk classification categories for blind or visually impaired people. This would mean the end to risk classification due to blindness or degree of blindness, while not disrupting causative related classifications of risk. But, as regards blindness or loss of vision, it would be unlawful, as we interpret this prohibition, to classify applicants or insureds in any way which would single them out because of their blindness or degree of

blindness. The very essence of discrimination begins with special classification or identification of a category of individuals separate from the general class. So, the first point is fundamentally important—that the classifications of blind people and/or visually impaired people would be eliminated in the insurance industry.

(2) An insurer would not be permitted to exclude because of their visual condition people who are blind or partially blind. This would mean that the companies who currently decline applications on behalf of blind children under age fifteen would in the future be required to serve such individuals on the same terms as other youngsters. It would mean that the companies who presently refuse to insure adults blind less than five years would upon enactment have to accept them in the future, all other considerations being equal. It would mean that the waiver of premium and accidental death coverage sold with life insurance policies could not be declined if the reason is related to blindness considerations. In short, it would mean the end of these most common exclusionary practices in the industry.

(3) Insurance agents, acting on behalf of insurers, would not be permitted to present blind or partially blind applicants or insureds a more restricted range of coverage options than they would present in marketing to the fully sighted. We are not asking that materials or forms be modified or transcribed to make them directly readable by the blind. We are insisting, however, that the marketing of the insurance product disregard blindness in terms of presenting the types of coverage available. We are all too familiar with the insurance

representatives who assume a certain type of program will not be sold to blind applicants; hence the material is not presented or an application is discouraged. Agents do not want to engage in extra work when they have reason to believe it may be futile. Also, there are instances where agents negotiate agreements for exclusions from coverage. This would be unlawful.

(4) An insurer could not establish or continue to collect premiums or any portion thereof from applicants or from persons already holding policies where the premium or any portion thereof is based on blindness considerations. This would mean an end to extra premiums which are now established and in many cases have been paid for years. It would mean only a modest premium rollback in most cases. But even a slight alteration to remove the unfair blindness classification would send a dramatic message that the insurance industry is becoming more enlightened and henceforth will operate free of discrimination and unfair treatment toward the blind or partially blind.

(5) An insurer could do any of the foregoing acts or take any related or other actions based on blindness or degree of blindness if the need for doing so is clearly demonstrated through sound actuarial evidence. This would mean that insurance companies would be held to the standard which presumably governs most major underwriting decisions. Insurance rates and benefit programs are largely guided by a relatively reliable and scientific statistical process, at least as we understand it. However, when it comes to determining what action to take in dealing with the blind, the element of reliable sci-

entific measurement breaks down. Underwriters are human beings. They are not exempt or immune from the myths, misconceptions, and fears about blindness. They are part of the public who, according to repeated Gallup Polls, registers the fear of blindness second in line only to cancer. Underwriters are not schooled in the attitudes or techniques which blind people rely upon to lead normal lives. Therefore, they tend to make assumptions about the effects of blindness, not supported by any objective data. And, not surprisingly, our experience is that the assumptions that underwriters make are frequently wrong. Even so, they are based on what the underwriters 'believe' to be 'common sense'. But these conclusions are not based on reliable objective evidence, which is standard for operating in the industry. By enacting the sound actuarial evidence standard in H.R. 4642, the industry will fairly protect itself, as well as its blind or partially blind clientele and potential insureds.

### Enforcement

Primary enforcement of antidiscrimination prohibitions for the blind and partially blind should rest with the state regulatory agencies. This is the policy expressed in H.R. 4642. Clearly the bill would aid state enforcement by establishing the universally consistent ban on this type of insurance discrimination. Once the industry is guided by a national policy, we anticipate that problems which necessitate enforcement action by states will diminish.

But beyond primary jurisdiction resting with states, H.R. 4642 would supplement the current ability of the states

to enforce. It would assure any aggrieved individual a private right of action to file a civil suit in federal court, only where state enforcement could not or fails to deliver a timely remedy. There would be no new federal bureaucracy. We believe a private right in the federal courts is best designed to augment the administrative enforcement capabilities of the state insurance agencies. Moreover, we are concerned that in some instances there may presently be a legal question as to whether individuals have a private right to bring suits in state courts under the various forms of insurance regulations or laws. So, a federal right of action would certainly clarify the minimum legal recourse available to aggrieved applicants or insureds. And, as mentioned earlier, it would not intrude upon the primary jurisdiction of the state agencies, provided they give timely attention to complaints.

In addition, a private federal right of action will give blind or partially blind insurance consumers an avenue of recourse when states are not legally empowered to act on their behalf. An example of such a situation occurred last year when a blind resident of Massachusetts was denied health insurance coverage by a company whose group health plan was certified and approved by the Texas Insurance Department. The blind man in Massachusetts was excluded from the group, and the action was apparently not a violation in Texas. If it was a violation in Texas, the insurance department was not inclined to question the denial. But in Massachusetts, the refusal to insure was a violation. However, the insurance department was unable to enforce its prohibi-

tion, because the group health plan was certified in another state. In short, this was an interstate act of discrimination, which neither state agency could prevent or remedy, nor could the blind individual involved. But H.R. 4642 would give such an individual immediate access to the federal courts, thus providing a supplemental (and for this case a crucial and clearly justified) avenue of enforcement.

### Conclusion

Mr. Chairman, this overview of our current situation and H.R. 4642 as a remedy reveals that this bill is the next logical step toward a universally applicable, consistent, national prohibition of discrimination in insurance based on blindness considerations. We believe there are many in the insurance industry who have acted in good faith to eradicate unfair practices in their companies and throughout the industry. They would no doubt support such legislation as H.R. 4642. It is to those who cannot support this legislation because they cling to the myths and misconceptions about blindness that this bill is addressed. Also, Mr. Chairman, there are many among the insurance regulators who try in good faith to ban this type of discrimination through their approval and complaint enforcement processes. Yet, their efforts are too few in number and too scattered. They should be backed by a national policy and supplemental enforcement through privately-brought federal civil action. Those who now work in the state agencies on our behalf should support this federal initiative. Only those regulators who are content with state by state enforcement

which is necessarily uncoordinated to a great extent and spotty will oppose what is called for here.

Mr. Chairman, we do not seek to disrupt or to reorganize the insurance industry in any major or even a minor way at all. This bill is merely a matter of simple fairness. It says to the industry: Disregard blindness where you lack sound actuarial evidence. Treat us as equals. Presume that we fall within a normal, not a special, risk classification. Don't deny us coverage you would sell to others, unless you can prove through sound actuarial evidence that there is an unacceptable increased risk. This is fair insurance coverage. It is what any insurance consumer, including the blind, has a right to expect.

Mr. Chairman, on behalf of the National Federation of the Blind, we appreciate the opportunity to present this statement and to be part of these historic proceedings. We hope this hearing leads to tangible progress and believe it will. I thank you.

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Following the conclusion of the first panel and brief questions, a group of five blind consumers was introduced each to explain an individual case of insurance discrimination. The group included: Joyce Seanlan, Louis Lucero, Harold Snider, Mary Bishop, and Fred Schroeder. The appearance of these witnesses showed a broad geographic spread in the problem of discrimination in insurance. It is clearly a national, multistate problem as attested to by witnesses from Washington, D.C., to California—with New Mexico, Minnesota,

and Ohio falling in between. Moreover, each of these states (except for Washington, D.C.) has a regulation intended to prohibit insurance discrimination based on blindness. But the witnesses testified that the state regulations are not working. This is the message that came through loud and clear to the members of the Subcommittee as they heard the outstanding presentations from blind insurance consumers. No agencies appeared to speak for us. We came to speak for ourselves. And it was clear that the Congress was listening.

The balance of the hearing, following the two panels just described, consisted of testimony by representatives of the National Association of Insurance Commissioners and a spokesman for the insurance industry, itself. These people were in a tough spot. They could not argue that insurance discrimination based on blindness was a proper action by the industry, since both the industry and NAIC had cooperated in developing a model regulation against it. Of course, they did attempt to downplay the problem to some degree. But what were they to do? The subcommittee had just heard several blind witnesses testifying about the extent and magnitude of the current problem. So the best the insurance regulators and industry witnesses could say was something to the effect that insurance discrimination based on blindness was wrong and it should be corrected by state regulation and enforcement.

This brought on a vigorous sparring match between Chairman James Florio and representatives of the NAIC. Mr. Florio wondered aloud why the state insurance departments had been incapable of combatting insurance discrimination based on blindness. He noted that the NAIC

model regulation had been in effect for six years, yet discrimination was continuing. He asked the insurance commissioner representatives if it wouldn't be a good idea for Congress to pass some supplemental legislation aimed at assisting the states in doing a better job of enforcing their nondiscrimination policies. The insurance commissioners said it wouldn't. Then Mr. Florio queried them as to what they were prepared to do to fulfill commitments made but not kept to the blind. The best the insurance commissioners could do is to say they would do a better job of enforcement. They said they would encourage more states to enact regulations and generally try to improve their performance. But there were no specifics, a fact which left Mr. Florio and the rest of us frustrated. After all (as Mr. Florio pointed out to the insurance commissioners) the blind have been attempting to get enforcement of anti-discrimination policies in the area of insurance for at least twenty years. How long should a group wait for the states to fulfill their responsibility? How long should Congress wait? That would have to be determined by Congress, not by the insurance commissioners. That was Mr. Florio's attitude, and on that note the hearing concluded.

On August 6, 1984, Mr. Gashel followed up on the results of the hearing by submitting a formal request to Chairman Florio. Then the Chairman responded:

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Baltimore, Maryland  
August 6, 1984

The Honorable James J. Florio

Chairman  
Subcommittee on Commerce,  
Transportation, and Tourism  
Committee on Energy and Commerce  
U. S. House of Representatives  
Washington, D. C.

Senate. Even though time is short, Congress could now progress toward enacting this bill if a markup is scheduled soon. We will certainly appreciate your consideration.

Dear Mr. Chairman:

This is to request that the Subcommittee on Commerce, Transportation, and Tourism proceed to markup H.R. 4642, the Fair Insurance Coverage Act, introduced by Mr. Bates. The result of the hearing you conducted on June 27 leaves no doubt that Congress needs to act in this area to provide a minimum degree of protection against continuing discrimination based on blindness.

Mr. Bates' bill was prepared after nearly twenty years of work with the insurance industry and state regulators to address this problem. All seem to agree that discrimination should be eliminated. Yet, in 1984, we are still able to cite several frequent forms of typical discrimination which often arise now because of variations in state regulations and enforcement practices.

The solution is a single national standard proposed in Mr. Bates' bill. Different treatment of the blind would be prohibited unless based on sound actuarial evidence. This is a fair test—one which should have been applied voluntarily by the industry. Since it has not been, Congress should establish the standard of uniform treatment. This is why we support H.R. 4642.

I am enclosing for your reference a list of current cosponsors. It appears that substantial support exists on the Committee and in the House to pass this bill. Senator Charles Mathias has introduced an identical measure in the

Cordially yours,  
James Gashel  
Director of Governmental Affairs  
National Federation of the Blind

Washington, D. C.  
August 27, 1984

Dear Mr. Gashel:

Thank you for your letter of August 6, 1984, in which you request the Subcommittee on Commerce, Transportation and Tourism to schedule markup of H.R. 4642, the Fair Insurance Coverage Act. I am pleased to inform you that we will schedule a markup early in September after Congress returns.

The Subcommittee found the presentation by representatives from your organization most helpful and informative at the Subcommittee hearing June 27, and I wish to express my appreciation for your efforts in bringing this matter to the Subcommittee's attention.

Sincerely,  
James J. Florio, Chairman  
Subcommittee on Commerce,  
Transportation, and Tourism

True to his word, Chairman Florio scheduled the Fair Insurance Coverage Act for consideration by his Subcommit-

tee in mid-September. It was approved unanimously and ordered reported to the full Committee on Energy and Commerce on September 12, 1984. This was late in the second session of the 98th Congress. So time was simply not available for consideration of the bill by the full committee or by the House and Senate as a whole. Even so, the bill made good progress and clearly established a sound case that effective steps must be taken to eliminate insurance discrimination based on blindness.

It now appears that a sizable majority in Congress will support a federal ban on insurance discrimination against the blind. In a broader sense, with respect to other groups, Congress has increasingly become annoyed with the failure by the states to act aggressively against insurance discrimination. In recent years there have been outcries by women and minorities for federal legislation to protect them. On the other hand, state insurance departments and the insurance industry argue that any federal law would violate the traditionally respected policy of state-only regulation of insurance. So a sizable battle to enact any prohibition against insurance discrimination (whether it deals with the blind or with other groups) can be anticipated.

But for the 98th Congress, the battle is over. Nothing was enacted into law. Even so, we made great progress. We proved to the insurance commissioners and to the industry that discrimination against the blind still exists. We made them face the music before Congress and explain why they were not solving the problems they agreed to address more than half a decade ago. Clearly, we got their attention. Under date of August

27, 1984, the Iowa insurance commissioner (Bruce Foudree), who is Vice President and Chairman of NAIC's Executive Committee, wrote to Mr. Gashel outlining NAIC's plans to address our problems of continuing insurance discrimination. These plans included an industry survey which Chairman Florio asked the NAIC representatives to conduct and report the results to the Subcommittee. But Mr. Foudree's letter also made other significant commitments. Again, it indicates the role of the Federation in this entire process:

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Des Moines, Iowa  
August 27, 1984

Re: Blindness Legislation

Dear Mr. Gashel:

The NAIC anticipates reestablishing the communication link which previously existed between our Associations. In this way, I believe we can deal more successfully with problems that have occurred since the NAIC adopted the Model Regulation as well as with problems which may come to light as a result of our survey. As I indicated before, the NAIC and its members are committed to preventing unfair discrimination against blind persons. I hope you will work with us and bring problems and possible law violations to our attention.

In further pursuit of our mutual efforts to solidify communication between the National Federation of the Blind and the NAIC, Commissioner Bill Gunter, President of the NAIC, and I have appointed a working group of Com-

missioners to liaison with the Federation. Commissioners Josephine M. Driscoll (Oregon), Edward J. Muhl (Maryland), and Director C. Donald Ainsworth (Missouri) have agreed to serve. Commissioner Driscoll, in addition to testifying before Representative Florio's Subcommittee on Commerce, Transportation and Tourism on H.R. 4642, has, as chair of the NAIC's Accident and Health "B" Committee, led the effort for adoption of the NAIC Model Regulation on Unfair Discrimination on the Basis of Blindness or Partial Blindness. The State of Maryland has significant blindness legislation and, thus, Commissioner Muhl's involvement; and Director Ainsworth has established communication between blind representatives and the Missouri Insurance Department.

Sandra Gilfillan of the NAIC staff is presently compiling the results of the insurer survey. As soon as that effort is completed, Commissioner Gunter and I urge the scheduling of a meeting between the liaison group and Federation representatives in Baltimore, Maryland, to discuss the survey results, to identify issues of concern and to suggest possible solutions. Hopefully, that meeting will occur in September.

Additionally, as officers of the Association we would like to extend a formal invitation for a representative of your association to participate in a forum on blindness issues to be held at the NAIC's National Meeting in Washington, D.C., December 9-14, 1984. We are tentatively planning a panel of regulatory, industry, government, and blind representatives to discuss topical concerns.

Sincerely,

Bruce W. Foudree  
Vice President and  
Chairman of the Executive Committee  
National Association of Insurance  
Commissioners

The task force meeting to which Mr. Foudree referred was held at the National Center for the Blind in Baltimore on September 25, 1984. It included the task force chairman, Commissioner Edward Muhl of Maryland, and two members of the NAIC staff from Washington, D.C. Mr. Gashel, Mr. Omvig, and President Jernigan participated on behalf of the Federation. The conversations were cordial but direct. The NAIC representatives reported the results of their survey which verified that underwriting practices of several insurance companies which responded are discriminatory. Most companies did not respond to the survey. Accordingly, the NAIC representatives expressed their sincere desire to combat the discriminatory policies now practiced against the blind. We insisted that they do this and do it aggressively. To begin with, we suggested changing the model regulation, which had not worked. At this writing (mid-October) negotiations are underway to achieve that objective. But in order for any change to be successful, all of the state insurance regulations relating to discrimination based on blindness which now exist would have to be altered. That will be a big task for the insurance commissioners.

Meanwhile, we told the NAIC task force that we expected to continue asking Congress to enact effective federal legislation. For their part, the NAIC

representatives assured us that they would continue to attempt to oppose it. We assured them that we expected as much. Everyone agreed it would be a tough fight in Congress. But we also agreed (and without reservations on either side) that we would work together to combat insurance discrimination through better state enforcement of existing or modified regulations. We said we doubted that the states are capable of combatting the unfair practices of the insurance industry without

the aid of some form of federal legislation. But the NAIC representatives assured us they were capable. We shall see.

In any event, it will be back to Congress with the Fair Insurance Coverage Act in January. There will be no let-up in our efforts to eliminate discriminatory insurance practices. This is a battle which the National Federation of the Blind undertook over two decades ago, and it is a battle we intend to win.

## THE INSURANCE BATTLE TAKES ANOTHER NEW TWIST

by James Gashel

In the Braille Monitor for March-April, 1981, we published an article by James Omvig entitled "The Insurance Battle Takes a New Twist." That article described how the Lincoln National Insurance Company practiced discrimination on the basis of blindness by refusing to sell waiver of premium coverage.

A waiver of premium rider protects policy holders if at some future time they become so disabled as to be unable to pay the premiums for their life insurance. Waiver of premium is usually granted when an insured individual becomes totally disabled, whereupon the insurance company disregards further premiums due on the policy but continues the coverage nonetheless. Insurance companies, such as Lincoln National,

have argued tenaciously that they cannot sell waiver of premium coverage to blind people because we are already disabled under their guidelines for granting the waiver. The fear is that we would be entitled to free insurance if we obtained the waiver of premium rider.

But we have responded by saying it is discrimination to deny blind people the premium waiver coverage. After all, the blind, too, should be able to buy the same type of insurance that other consumers can get, without having technicalities stand in the way. Some progressive companies understood our point long ago. They have modified their waiver of premium riders or entered into agreements with blind clients to sell the coverage, noting in the modified

rider that the insured individual is already blind at the time of purchase. Therefore that condition is excluded from the waiver.

Some in the insurance industry would still describe such a move as innovative or creative. We call it common sense. After all, we have no intention of bilking the insurance industry by purchasing a waiver of premium and obtaining free insurance. Even if we did have such intentions, no court in the land would permit it. All we want (and all we have ever wanted) is a waiver to provide the same protection any other insurance consumer gets if, due to a disability, the premiums cannot be paid.

A case described in Mr. Omvig's article involved a complaint filed by Scott Lewis with the Washington State Insurance Department. Scott filed his complaint when Lincoln National declined to sell him waiver of premium coverage. Then Lincoln National responded to the complaint by telling the Washington State Insurance Department that they had evidence showing that blind people die sooner than sighted people. They said it was reasonable, therefore, that they should refuse to sell Scott the waiver of premium. Lincoln National's attorneys argued that their refusal complied with Washington State's nondiscrimination policy. They said they did not discriminate. And the Washington State Insurance Department agreed. So Scott Lewis did not obtain the waiver of premium and Lincoln National continued, nationwide, to deny that form of coverage to blind people.

Lincoln National is one of the largest insurance companies in the United States. In addition to its programs of direct coverage in life and health

insurance, Lincoln National is one of the largest (if not the largest) in the reinsurance business. This means that literally hundreds of companies follow Lincoln National's lead and design their underwriting practices to conform to those of Lincoln National. They must do this if they want to reinsure through Lincoln National, and many companies do. So Lincoln National's adamant refusal to sell waiver of premium to Scott Lewis had national significance. It represented a policy to deny waiver of premium coverage which, by virtue of Lincoln National's position and standing in the industry, became the practice of many other companies, as well.

Even more threatening, Lincoln National successfully contended that refusing to sell blind people waiver of premium coverage was in compliance with at least one state's prohibition against discrimination. So what good is the prohibition? That prohibition, according to the National Association of Insurance Commissioners' (NAIC) model regulation says the following practices constitute unfair discrimination: "refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness, except where the refusal, limitation or rate differential is based on sound actuarial principles or is related to actual or reasonably anticipated experience." Lincoln National successfully argued that its refusal was based on "actual or reasonably anticipated experience."

No wonder we continue to face discrimination. In 1978, when the NAIC model

regulation on blindness was adopted, we hoped that the insurance industry would voluntarily agree that evidence, not belief, would have to exist before treating blind people differently from others. Some companies did voluntarily adopt this standard. But many did not change their practices at all. They continued to use underwriting rules which called for putting blind people into special risk categories. They said this complied with the NAIC model. So the industry by and large did not change. We have reviewed the underwriting guides of several companies. They continue to be full of discriminatory practices, such as classifying blind people as special risks, requiring extra premium charges above standard, declining coverage for blind children under age fifteen, and refusing to sell waiver of premium or accidental death coverage, just to name a few.

Lincoln National was one such company. They believed (perhaps in good faith) that their underwriting guides did not discriminate against blind people, at least under the terms of many state prohibitions and the NAIC model. But times are changing. We are moving from second-class status to first-class citizenship. Many who formerly treated us as different or less able are coming to realize that blindness need not be a disaster or a badge of inferiority. They are coming as we do to view blindness as a physical characteristic, a normal characteristic, just like hundreds of other characteristics that everyone (sighted or blind) possesses. Recent developments on the insurance front demonstrate the momentum and trend of the future we are shaping.

Even the Lincoln National Insurance

Company—a company that staunchly defended a policy of treating us differently from others—is coming around. Is it that the corporate directors at Lincoln National have all of a sudden "got religion" or decided to swell their bosoms with the pride of social justice? Or, is it that they see the blind as an important potential market, not to mention a force to be reckoned with politically?

A memorandum from Lincoln National's Underwriting Committee to Ian Rolland, one of Lincoln National's top officials, explains the company's new perspective on blindness and contrasts its intended new approach with the practices that were formerly used. The memorandum explains that Lincoln National will now sell waiver of premium to blind people along with making other changes to comply with nondiscrimination policy. While it does not end all distinctions, it does represent a major change. The memorandum also shows what effect our recent efforts in Congress to promote the Fair Insurance Coverage Act are having upon the industry. That bill (H.R. 4642, which received considerable attention during the 98th Congress) calls upon insurance companies to treat us the same as other consumers unless there is "sound actuarial evidence," for doing otherwise.

In the words of Lincoln National's Underwriting Committee, this is a stricter standard than the NAIC model. Indeed it is. H.R. 4642 asks insurance companies to have provable actuarial statistics, not just sound principles and reasonable behavior. We prefer the stricter standard, because the gentle nudge of the NAIC model has not worked. According to Lincoln National's Under-

writing Committee, they did not actually change the published underwriting guides when the NAIC model was developed because they saw no necessity to do so. There were changes made in what are termed internal underwriting procedures but not in the published guides.

But now, in light of H.R. 4642, Lincoln National apparently feels that it must change its position. The Underwriting Committee says "the introduction of H.R. 4642 which is sticter than the NAIC model caused us to re-evaluate our underwriting guides once again. Our proposed new guides are sufficiently different from our published guides that we decided the new guides should be communicated to reinsurance clients."

While the memorandum from Lincoln National's Underwriting Committee is somewhat technical in language, even a casual reading (without full understanding of all of the terminology) indicates that Lincoln National is proceeding to make a major change in its practices. The motivation for this change (the fact that there is a pending bill in Congress) is especially clear even to the lay reader. Lincoln National sees the trend that is building. You can almost hear them saying: "If the blind people want fair treatment, and it looks as if Congress is going to give it to them, we want to be there first. We will change our rules and treat the blind fairly. We will comply with H.R. 4642, even though it is not yet law." This is the message of the Underwriting Committee. It gives promise and hope that at last we are making real progress toward ending one of the most stubborn forms of discrimination based on blindness. It shows that discrimination can be brought to an end if we are willing

to pay the price and endure the struggle necessary to make it happen.

There are probably those we could name in organizations such as the American Council of the Blind who would prefer to have us take what they would call a "quiet," "responsible," and "rational" approach. They would say we should not make a fuss in public. We should sit in the board rooms of the corporate giants in the insurance industry and use gentle persuasion to ask them not to discriminate and to teach them a new way of treating us. We should go along and get along. This is, in fact, what they have told us in recent times with respect to obtaining fair treatment on the airlines. No doubt they would apply the same principle of "soft talk" and "sweet reason" to our dealings in insurance, as well. No wonder the American Council of the Blind has had no involvement of note in H.R. 4642 or any of the significant events that are causing Lincoln National and its colleagues in the industry to re-evaluate their treatment of the blind. As President Jernigan has said on many occasions, we only enter the field of battle as a last resort and only after all other efforts to resolve a problem have failed. And when we negotiate, such as in our current dealings with insurance, we should negotiate from a position of strength, not weakness. We do not enter the board rooms of the corporate giants with hat in hand, pleading for mercy. Insurance discrimination against the blind is coming to an end. It will either happen through a new federal law, through tougher state regulations, through stronger enforcement efforts by state insurance commissioners, or through voluntary initiatives of the industry,

such as that now underway at Lincoln National.

It should be emphasized that the Lincoln National Insurance Company has not yet eliminated from its underwriting guides all forms of discrimination based on blindness. The guides still provide for charging extra rates based on blindness or impaired vision in addition to the rates which may be charged for the cause of blindness or impaired vision, if the cause has medical consequences. But the guides do show that there will be no extra charge when Lincoln National believes that the blind applicant for insurance is "well adjusted." This includes being employed or being in school, and living what Lincoln National regards as a stable life. Here we get into an area of judgment where underwriters have traditionally presumed that most blind people are not well adjusted. We have asked for their evidence that the blind (well-adjusted or not) are more hazardous than others. So far they have presented no reliable evidence. We do not object to insurance rates based on cause, where there is a demonstrated additional risk. But we do object to insurance rates based on blindness where there is no demonstrated additional risk. Even so, Lincoln National's underwriting guides still allow for a blindness rating over and above rating for cause. The blindness rating is only used if the individual is not well adjusted. But that's where judgment comes in. Neither Lincoln National, nor anyone else in the insurance industry can show that the unadjusted blind are greater risks than the adjusted blind or for that matter than the unadjusted or the adjusted sighted.

So we continue to have reservations

about the Lincoln National approach, even the new approach. But the new approach is better than the old approach. Scott Lewis (or any other blind person) would now be sold waiver of premium, no problem. Blind people can now purchase income disability plans from Lincoln National at standard rates. Blind children under age fifteen can have life insurance, whereas it would have been denied before the change. This is real progress. The memorandum of the Lincoln National's Underwriting Committee is reprinted as part of this article because of the significant change it represents and because it shows why the change has been made. Can there be any doubt that our movement is progressing? We are changing what it means to be blind. This is why we have the National Federation of the Blind:

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Date: September 28, 1984

To: Ian Rolland

From: The Underwriting Committee

Subject: Blindness—Underwriting Practices

The NAIC Model Bill on Blindness has been adopted in over half the states at the present time. We have adjusted our internal underwriting procedures to be sure we comply. Because of expense considerations and the fact that blindness is so rarely encountered, we have not updated our published guidance for underwriting the blind.

The introduction of H.R. 4642, which is stricter than the NAIC Model, caused

us to re-evaluate our underwriting guides once again. Our proposed new guides are sufficiently different from our published guides that we decided the new guides should be communicated to reinsurance clients.

This memo outlines our current practices, both published and internal, as well as our proposed new practices to comply with H.R. 4642.

### Current Practices

Our published Life and Health Underwriting Manuals contain guidance that might be considered "unfair" discrimination against the blind under H.R. 4642. For example, the Life Manual recommends denying coverage to all blind persons under the age of 15. Our health manual instructs underwriters to deny coverage to any blind person for income disability. The Waiver of Premium Rider is not available to a blind person on our traditional products because the language in the Rider presumes disability for loss of sight.

In practice, our underwriters in both Individual and Reinsurance have been sensitive to the regulatory environment. Our underwriting procedure manuals identify those states that have special restrictions related to the appraisal process for blindness or other types of impairments. Blindness, by itself, is usually not treated as a ratable impairment by our underwriters, except in situations where the condition is of recent onset and adjustment to the condition has not been achieved. Blind persons of any age applying for life insurance have been accepted at standard rates unless other conditions (e.g., lack of satisfactory adjustment) or

impairments made a standard offer impractical.

In the Individual Division, the Waiver of Premium Rider on traditional products necessarily is still denied to blind applicants because of the "presumptive disability" language. However, the presumptive disability language was amended in the Waiver of Premium Rider for our universal life products. On those products, blindness is still a condition of presumed disability, but only if loss of sight occurs after the policy is in effect. For universal life policies issued at standard rates with blindness as the only impairment, the waiver of premium rider could also be issued at standard rates.

Reinsurance underwriters have approved the Waiver of Premium Rider at standard rates on cases submitted facultatively when the life risk also qualified at standard.

While individuals with marked impairment of vision rarely apply for income disability insurance, our underwriters have accepted coverage for blind persons who otherwise qualify by including an exclusion rider in the policy.

### Recommended Practice

In order to make certain we comply with H.R. 4642 and to make certain clients who use our underwriting manuals understand our current practices for blindness, the Underwriting Committee recommends the following steps.

1. We adopt the attached guides (Exhibits A and B) as our current underwriting practice.

2. We compose a letter for reinsurance clients that includes copies of the guides and recommends they review their

own procedures and practices for underwriting blindness. This letter would include a discussion of the Waiver of Premium Rider and presumptive disability. We have already told the ACLI we would be updating our guides for clients' review and use, should they desire. We will do this prior to our scheduled manual revisions.

3. We will amend the presumptive dis-

ability language contained in the waiver of premium rider for traditional products when those products are revised and the policy and the rider forms are refiled with the states. We understand that our traditional products, which comprise only 10% of our current business, are scheduled to be revised within the next year.

### NAC AT THE CROSSROADS DEVELOPMENTS IN MISSISSIPPI

by James Gashel

Dennis Hartenstine has been the executive director of NAC (the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped) for only a relatively short while. He came from a moderately quiet charity called the Retinitis Pigmentosa Foundation. That group's avowed purpose ("fighting blindness") is certainly more laudable than NAC's traditional approach—to fight the blind, themselves. However, Mr. Hartenstine has made his choice. Now he must step up to the line and do his duty. But can he?

Dr. Richard Bleecker, immediate past executive director at NAC, was well seasoned as an aggressive, battle-hardened warrior. He would try to duke it out with the blind whenever and wherever he could. Mostly, he couldn't. But at least Dr. Bleecker would try.

Now we have Mr. Hartenstine. He is

largely untested. But recent events in Mississippi have given us a chance to observe him in action (or lack of action), depending upon one's point of view and assessment of motives.

Those who followed with interest the change in NAC's executive leadership last year predicted that new policy trends were in the offing. Our reading of the field, based on wide-ranging interviews, showed that Dr. Bleecker's demise was part of NAC's inner struggle to find a strategy for broader acceptance. This was another way of saying that Dr. Bleecker's departure was not just a voluntary resignation. Apparently his combative style did not fit NAC's new approach. And what was that new approach to be? The events in Mississippi may be a clue. Here are the details.

Mississippi Industries for the Blind

(MIB) is an agency of the state of Mississippi under the control of the Mississippi Board of Public Welfare. It is one of the largest (if not the largest) of the industrial operations affiliated with National Industries for the Blind (NIB). MIB pays good wages overall and there are fringe benefits for the workers, unlike many other sheltered workshops. MIB is not NAC accredited. It never has been, and it never has wanted to be.

The American Council of the Blind (ACB) believes that all agencies (including workshops) who are not affiliated with NAC ought to be forced to join up. According to Grant Mack, ACB's national president, in a 1982 message in the Braille Forum, "... ACB will use all its power to encourage every agency to seek accreditation. Those agencies which have turned their back on accreditation in the past will no longer do so with impunity." That was rather tough talk—but there was more. Mr. Mack went on to say: "This is not a threat, but merely a statement of fact, because the American Council of the Blind plans to use every method at its disposal to make certain every agency serving the blind is accredited." So said Mr. Mack, and it came as no surprise that MIB was a target of ACB's NAC campaign.

Under date of September 14, 1984, R. T. Millard, Executive Director of MIB, sent a memorandum to the following named individuals and organizations: Carl Augusto, National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC); Oral Miller, National Representative, American Council of the Blind (ACB); James Gashel, Director of Governmental Affairs, National Federation of the

Blind (NFB); and Ralph Sanders, President, Blind Industries and Services of Maryland (BISM).

The memorandum described the process MIB would use to respond to ACB's NAC campaign. There was to be a meeting of the Mississippi Board of Public Welfare (MIB's governing body) to be held at MIB's main plant in Jackson at 1:30 p.m. Monday, October 8, 1984. Mr. Augusto would present NAC's wish to have MIB pursue accreditation. He would be followed by Oral Miller of the ACB for a like amount of time, fifteen minutes each. NFB would then have fifteen minutes to explain why MIB should not become involved with NAC. Then Ralph Sanders, speaking for BISM, would tell why his agency withdrew from NAC several years ago. BISM has industrial operations similar to MIB.

Under the terms of Mr. Millard's memorandum, NAC was to be given an additional five minutes to respond, with no reply from anyone else. This was a plan we thought overly generous, and we told Mr. Millard so. After all, fair is fair. We said, if Mr. Augusto gets an additional five minutes, so should all of us or none of us. Or Mr. Augusto and Mr. Miller from ACB might share five minutes dividing the time in any manner they wish, provided that the same courtesy is extended to Mr. Sanders and me. That is what we told Mr. Millard. He seemed quite agreeable.

These plans arranged, we prepared to go to the meeting in Jackson. Under date of September 28, 1984, I wrote to the members of the Mississippi Board of Public Welfare, saying:

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On Monday, October 8, I will be appearing before the Mississippi Board of Public Welfare. The Board has been asked to evaluate whether Mississippi Industries for the Blind should become affiliated with the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC).

In my statement, I will explain why MIB should not become involved with NAC. The purpose of this letter and the enclosed documentation is to provide you with enough background information so your deliberations on October 8 and following will be most productive.

The enclosed file of materials presents objective evidence. You will see that NAC's entire existence revolves around controversy. This is why, among other reasons, the U.S. Government stopped funding NAC in the mid-1970s. It also explains why agencies, such as the Veterans Administration, dog guide schools, and many more have flatly rejected NAC's overtures.

NAC is struggling to survive. Recently, the Commission on Accreditation of Rehabilitation Facilities (CARF) announced it would be willing to review agencies serving the blind. Some have pursued CARF accreditation in preference to NAC. But NAC is responding with a campaign aimed at bringing the remainder of the blind service agencies into line.

The effort is being orchestrated by the American Council of the Blind (ACB). In November, 1982, its President announced a new get-tough policy toward agencies (such as MIB) who are not affiliated with NAC. He said "this is not a threat, but merely a statement of fact, because ACB plans to use every method at its disposal to make certain that every agency serving the blind is

accredited."

Thus, ACB is attempting to enforce its will upon agencies, regardless of whether NAC affiliation is good for them or those they serve. But all we ask you to do is to make a fair, dispassionate evaluation of the facts. The central questions are:

(1) Does MIB need any form of accreditation?

(2) Is NAC the only form of accreditation possible?

(3) Would the blind of Mississippi who are employed and aided by MIB receive any tangible benefit by MIB's affiliation with NAC which would outweigh the documented disadvantages of such a move?

I hope you will consider these questions carefully as you read the enclosed materials. Then, at the time of my presentation on October 8 at MIB, I will be pleased to respond to any additional questions you may have. Meanwhile, I thank you for your attention to this matter and look forward to our meeting in Jackson.

Cordially yours,  
James Gashel  
Director of Governmental Affairs

Anyone who has tracked NAC's decline over the past several years can well imagine the contents of the file which I sent to the members of MIB's governing board. The facts about NAC are well documented. They present a picture of an organization (NAC) which is bankrupt programmatically, morally, and ethically. Financially NAC would be bankrupt, too, were it not for annual infusions of money from the American Founda-

tion for the Blind.

By the end of September, the stage was set for NAC to appear in public and urge itself upon the Mississippi Board of Public Welfare. But on Tuesday, October 2, all plans changed. NAC would not appear. According to Dennis Hartenstine, it would not be "appropriate" for NAC to participate in the type of event described in Mr. Millard's invitation. Further, Mr. Hartenstine acknowledged that NAC's failure to appear before the Mississippi Board of Public Welfare was a withdrawal of NAC's proposal that MIB should become accredited.

So NAC withdrew from the field. But what about the American Council of the Blind? This was the organization that planned "to use every method at its disposal to make certain that every agency serving the blind is accredited." Remember that Oral Miller, ACB's National Representative, was also invited to appear in support of NAC. Would he show up? Who could tell? Mr. Miller wasn't saying. He (the intended NAC defender) had not even responded to MIB's memorandum inviting him to appear. This left only Ralph Sanders, representing BISM, and me, speaking for the NFB. Both would appear, but to what end? Since there was no NAC to propose anything and no ACB to defend anything, there would be no meeting to decide anything.

And, there would be no backroom dealing, either. Mr. Millard made that clear in a telephone call permanently canceling the meeting. He explained that if NAC wanted to proceed with accreditation of MIB, NAC and its supporters would have to appear in public to explain themselves. They would have to be accountable to the Mississippi

Board of Public Welfare and the blind of the state. To be blunt about it, they would have to face the music or forget it. This time, NAC would have no way around the consumers.

You might say that Mississippi was a sort of proving ground for Mr. Hartenstine. This was his first big chance to show what the new NAC trend will be. If NAC did not appear simply because it is faltering and cannot come up to the line, the results are positive—but only by weakness and default. If, on the other hand, NAC did not come because it is undergoing a change of heart (because it intends to start fighting the real problems of blindness and stop fighting the blind), then all of us can rejoice and begin to hope for a new day.

In any future attempts at NAC accreditation we will insist that there be a face to face meeting and discussion of the issues. If NAC is unwilling or unable to come up to the line, its accreditations will be even fewer than they have been in the past. If, on the other hand, NAC is re-thinking its entire mode of operations, its traditions and past behaviors, its very reason for being, the blind of the nation will be the beneficiaries; and NAC would actually be performing a constructive service. This seems too much to expect or even to hope for, but we shall await developments and be prepared to examine whatever comes with open minds.

#### POSTSCRIPT

The newsletter of the National Federation of the Blind of Mississippi (E. U. Parker, Editor) came out with a special edition dated October 18, 1984. It said in part:

"The Welfare Board met, as scheduled, on October 8. We could have sent a lot of people to the Board meeting, but we were assured that it was not necessary under the circumstances, and our representative would be advised if anyone else showed up. We did not want to interrupt the Board when they were just doing their job. Deacon Millard kept the faith. When others showed up, he contacted President Melba Barlow. It

seemed that the alphabet soup people, as usual, sent a couple of blind people to do their dirty work, since NAC would not do their own.

"Melba and the others were respectfully heard by the Welfare Board. As predicted, the Board heard everybody who wanted to be heard. However, we did not predict their action. They voted on the question and unanimously voted 'NO NAC.'"

#### THE STATE OF MISSOURI APOLOGIZES TO THE NATIONAL FEDERATION OF THE BLIND, AND THERE IS MORE TO COME

Early in February of this year there were strange occurrences in the state of Missouri—the Director of the Bureau for the Blind lured out of his office so that his personal effects could be surreptitiously and illegally searched, meetings of staff members to threaten and intimidate them, and official reports calling the National Federation of the Blind "radical" and "militant" because, among other things, it provides aids and appliances to the blind. There was also the cancellation of an agreement between the Bureau of Services for the Blind and ABLE, a non-profit St. Louis agency providing rehabilitation center and training services for the blind and having, among other things, staff members who were members of the Federation. As Monitor readers know, we responded by filing several lawsuits, to protect the civil rights of blind

Missourians and to demonstrate to the world (and, particularly, the Missouri bureaucracy) that the blind of the nation have come too far to eringe and run when faced with gestapo taeties.

The first of those lawsuits is now settled. Before printing the full text of the settlement decree, we should mention certain facts. Several months ago the Division of Family Services of the Department of Social Services (the parent organization for the Bureau of Services for the Blind) began to retreat from its original position and signed a contract with ABLE. However, it was still not sending blind clients to the agency. Apparently that is now about to change.

A word should be said about legal terminology. If a matter is "dismissed with prejudice," it is closed and cannot be reopened. If it is "dismissed with-

out prejudice," it can be brought up again in certain circumstances. In the present case the defendants were the Missouri Department of Social Services; Joseph O'Hara, the head of the Division of Family Services and one of the principal culprits in the case; and other assorted state investigators and officials. The settlement speaks for itself and requires little comment. It should be noted that there is no statement that the defendants were not guilty but only that the settlement agreement will not be used against them in future court cases. There is a long road ahead in Missouri, but the first steps on the journey have been successfully taken. There will be more to come. Let those who feel that they can oppress the blind and violate the law without feeling the consequences ponder and take note.

IN THE  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ANNETTE GROVE, et al.,

Plaintiffs,

v.

MISSOURI DEPARTMENT OF  
SOCIAL SERVICES, et al.,

Defendants.

Case No. 84-1192-C(3)

CONSENT DECREE

Come now the parties in the above-styled civil action to submit the

following consent decree for entry:

1. Defendants agree to convene as soon as reasonably possible a series of meetings between the staff of ABLE and counselors in the Missouri Bureau for the Blind for the purpose of explaining the contractual relationship into which the parties have entered and for the purpose of encouraging the resumption of residential rehabilitation referrals to ABLE in circumstances in which such referrals would be professionally appropriate.

2. Defendants will make available to ABLE their best estimates on the probable referrals by the Missouri Bureau for the Blind during the year October 1, 1984, through October 1, 1985. It is understood that these estimates shall not give rise to legally enforceable rights but are provided solely to assist ABLE in planning its allocation of resources during the ensuing twelve months.

3. Defendants agree that they shall not discriminate in the referral of clients for residential rehabilitation services based upon membership in the National Federation of the Blind or other consumer organizations. The defendants shall continue their policy of nondiscrimination in residential referrals.

4. Defendants agree that they shall not discriminate among providers of rehabilitation services on the basis of the provider employees' membership in the National Federation of the Blind or other consumer organizations. The defendants shall continue their policy of nondiscrimination among providers of rehabilitation services.

5. That Joseph J. O'Hara will tour the ABLE facility and meet with ABLE staff to discuss the rehabilitation program at

ABLE and that Joseph J. O'Hara shall attend at least one of the meetings to which reference was made in paragraph 1 and shall assist in encouraging the resumption of relations between ABLE and the Bureau for the Blind by appropriate memoranda.

6. That any suggestion made in a recent report to Joseph J. O'Hara that it is inappropriate for the staff or clients at ABLE to attend the national convention or meetings of the National Federation of the Blind or other consumer groups was unintended and the Department of Social Services disavows any such suggestion.

7. The statement in a recent report to Joseph J. O'Hara describing the National Federation of the Blind as "radical and militant" is unfortunate and the Department regrets its inclusion even in a rough draft of a report intended for internal use. The defendants apologize to the 1985 convention of the National Federation of the Blind for the inclusion of this statement in the report. The statement does not reflect any official policy of the Department of Social Services in opposition to the National Federation of the Blind. The Department is committed to working with all groups representing the interests of the blind, including the National Federation of the Blind, to provide the services needed by

all Missouri blind citizens.

8. That plaintiffs Grove and Bryant agree in consideration of the entry of this consent decree that their claims in this suit be dismissed with prejudice, including any claims for damages which arise from said claims.

9. That it is agreed that the supplemental complaint of the St. Louis and Gateway City chapters of the National Federation of the Blind, ABLE, and Grove shall be dismissed without prejudice.

10. Each party shall bear its own costs, including attorneys' fees, in this action.

11. This consent decree shall not be offered as an admission in any present or subsequent court proceeding.

Respectfully submitted,

Marc Maurer  
Frederic S. Le Clercq  
Attorneys for Plaintiffs

Robert Presson  
Attorney for Defendants

Entered this 15th day of October,  
1984.

William L. Hungate  
District Court Judge

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## GOLIATH AND THE GOPHRAFFE

by Annette Grove

(Note: The following remarks were delivered by Annette Grove at the 1983 convention of the Missouri affiliate of the National Federation of the Blind. They take on added significance in view of the occurrences in Missouri in 1984. As Monitor readers know, Annette Grove is the Director of ABLE, a private St. Louis-based agency providing rehabilitation and other training services to the blind.)

Goliath was an imposing, fear-provoking Philistine warrior. He stood ten feet tall and girded himself with armour of brass and mail which was twice his body weight. He scornfully defied the Israelite army to send a Champion to fight him. Young David, a shepherd-musician-poet, was an unlikely candidate, but he responded with risk and volunteered to meet the challenge. Saul, then king of the Israelites, was skeptical of David's chances for success. Saul responded with might, his only proven asset, and bedecked himself with fine armour to strengthen his stature. But David, uncomfortable with this strange facade, looked to the resources of his own experience. And thus, armed only with a slingshot and five smooth stones, but certain that he upheld God's honor, David ventured forth into battle. He shot the first stone straight into Goliath's forehead and toppled him. He slew him and chopped off his head!

The strength of this story lies not in armour, nor slingshots, nor gory details. The real strength lies in the dignity of risk, the integrity of honor, and the triumph of resourcefulness. This, my friends, is what is meant by confidence.

Throughout history, blind people have been challenged by the descendants of Goliath. There are subtle challenges such as the demands of overprotective parents, the constraints of patronizing service agencies, and the unresponsiveness of an uninformed political system. There are more direct challenges such as the potential deregulation of meaningful guidelines set forth in PL 94-142, current efforts to dismantle the vocational rehabilitation program, resistance to the payment of minimum wages, and growing support for controversial practices of certain accrediting bodies. There are challenges severe enough to constitute heinous threats to basic democratic principles such as are demonstrated in the continuing saga of civil rights violations—from discrimination in hiring and unfair labor practices, to restrictions of social freedoms—be it long canes on airplanes or Caribbean cruises, or be it blatant abridgement of Constitutional guarantees. We the members and supporters of the National Federation of the Blind know many Goliaths, both personally and collectively.

But where are the descendants of

David, that unique combination of shepherd-musician-poet, that embodiment of risk-honor-resourcefulness? The simple shepherd on the hillside is a caricature of the past; the musicians are being replaced by electronic robots; and the voice of the poet has succumbed to the pollution of industrial noise. Fortunately, however, risk, honor, and resourcefulness have survived and do prevail in other forms throughout the humanimal kingdom. The descendants of David reveal themselves as a modern hybrid of gopher and giraffe—"Gophraffe."

According to the World Book gophers are fat little animals that run around underground. They don't see very well, but they have a built-in alternative technique—a hairless tail which provides backward mobility. They are extremely industrious. The average gopher digs an intricate system of trenches three hundred times his body length in each night's work. (It should be noted that experienced gophers do a great job of obtaining "associates.") The only problem with gophers is that they have very short necks and rarely poke them out of their trenches.

Now enter the giraffes, tallest crea-

tures in the animal kingdom. They rarely do anything but stick out their necks. Giraffes are seemingly gentle and inoffensive. But in reality they are fast, pack a walloping kick, and aren't shy about using their heads as sledgehammers. I have observed that from time to time it becomes necessary for NFB members to "beat" on people. Just think what giraffes can add to the attack on the airlines. (It should also be noted that experienced giraffes thrive on the underbrush of intimidation and thorns of insult.)

How many of us know modern-day Goliaths? How many of us are willing to accept the dignity of risk, maintain the integrity of honor, and develop the resources necessary to lambaste the perfidious and unscrupulous scoundrels? How many of us have the love and the patience to convert the GOLIATHS of today into GOPHRAFFES of tomorrow?

We know who we are, we know where we are going, and we know we will get there! After all, gophraffes are Gusty, Organized, Patient, Honorable, Resourceful, Advocative, Flexible, Free, and Eloquent. Let us join as Gophraffes to meet and master the continuous challenges of the modern-day Goliaths.

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If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto National Federation of the Blind, a

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District of Columbia non-profit corporation, the sum of \$ \_\_\_\_\_ (or " \_\_\_\_\_ percent of my net estate" or "The following stocks and bonds: \_\_\_\_\_") to be used for its worthy purposes on behalf of blind persons."

## PERSONAL REFLECTIONS

by Adrienne Asch

(Note: The following article is reprinted from American Psychologist, Volume 39, No. 5, May, 1984. The American Psychologist is a publication of the American Psychological Association, Inc. Portions of this article were originally presented as part of the symposium, "Disability Beyond Stigma: Social Interaction, Discrimination and Activism," American Psychological Association, Anaheim, California, August 30, 1983. Adrienne Asch is a doctoral student in social psychology at Columbia University, a Senior Human Rights Specialist at the New York State Division of Human Rights, a psychologist in private practice, and an Adjunct Assistant Professor at Barnard college. She is also a long-time Federationist. She has been widely published in the journals.)

If we check the social class origins of many of the disabled activists, we will find that large numbers were children of the white middle class. Their parents were not deprived; they were reasonably comfortable. Their parents were themselves products of the dream of the meritocracy, which holds that hard work is rewarded and that education, diligence, and good character produce a good life.

These parents obtained what medical, educational, and rehabilitation services were available for their children, often ensuring that they studied and played

with nondisabled as well as disabled peers. Imbued with the notion that effort paid off and that what looked to others like limitations could be easily mastered, their children tried to do their best—to cultivate winning personalities, pleasing appearances, and good minds; to develop their independence and their physical and mental capacities; to minimize their oddities; to become desirable intellectually, socially, and emotionally; and to stress their similarities with others rather than their differences from others.

Sometimes they succeeded—in high school, college, even graduate school. Like others of their education and class, they sought their places in the adult world.

But when they hit the adult world, they found that their individual strivings and accomplishments meant very little. In the social and economic marketplace, their accomplishments meant nothing to employers or prospective mates. Although laws could not solve the social problem (the emotional exclusion so often spoken of), many people used existing laws or created new laws to combat the economic and political discrimination they found. They became politically active because they retained their belief that, like their non-disabled friends, they were entitled to full adulthood.

These disabled activists have accomplished much and have worked to

prevent heartbreak for others—the heartbreak they themselves found when their own talents, efforts, and personalities came to naught. Many activists, then, are not people who were kept out of the mainstream as children; they had been in the mainstream and had never questioned their right to be there. So, when others questioned it, they were ready with armor and anger to fight to preserve their sense of themselves that the adult world was trying to shatter.

But such activism has its cost. Some of us might have liked to study and pioneer in other areas; we can no longer remember what they are. An individual can be a disabled activist not because he or she loves the work, or loves being disabled, or thinks it is a transcendental experience (Vash, 1981), or feels hostile toward the "temporarily able-bodied," or hates being disabled and wishes he or she were otherwise. Sometimes there is no other choice.

In Disabled People as Second Class Citizens, Eisenberg, Griggins, and Duval (1982) say that disability used to be discussed in terms of rehabilitation and compensation for lost or diminished powers of physical or intellectual functioning. Now, Eisenberg et al. say that we know the study of disability must include its social dimensions because it involves more than just compensation.

But many disabled people would say that in the ideal world, which would be truly accessible and genuinely integrated and would allow each person to be dealt with as a unique individual, disability could mean simple rehabilitation. Braille and tape recordings could be virtually as useful as print—if everything were routinely available in Braille or on tape. Buildings with

ramps and sufficiently wide doors could mean that a person who moved in a wheelchair rather than on foot could have as full a life as anyone else. There would be nothing to study or discuss. Without the social discrimination it has customarily entailed, a disability could be reasonably neutral, almost incidental, to a person's life.

Once, in a group dynamics program, I had to decide under which sign I would stand for an exercise in difference and group identification—white, straight, young, Jewish, woman, or disabled. Because many of the participants had focused on my disability in their dealings with me during the two-week program, because I had already revealed many aspects of myself, including my similarities with others (whether or not they had been seen), and because no other person with a disability was there to convey what it meant to be disabled, I stood under the disability sign.

An acquaintance overheard me say that it had been hard to decide whether to stand under the sign for disabled or that for woman. "If you hadn't identified as disabled," she said, "I would have said you were denying." With more honesty and irritation than tact, I replied, "It's for people like you that I have to stand under that sign. You and your attitudes put me there, not my blindness itself."

Were it not a social problem, disability would require no discussion. In a more just world, disability might not be a social, economic, or political problem. It would not be a topic for meetings and discussions. I write out of conscience, anger, and disappointment—that to live with myself, to better myself and others like me, I have

no choice but to speak about what could have and should have been a rather inconsequential part of myself and my life. I write in neither pride nor shame, but simply because I have no other choice.

I long for the day when I, other disabled psychologists, and other disabled people will go into any room in any convention, any meeting, or gathering or job in the world and be greeted, evaluated, rejected, or accepted for who we are as total beings. We need such a forum not because disabled people are so

special, separate, or unique but because we must let people know of our desire and right to be part of the world from which we should never have been excluded.

## REFERENCES

Eisenberg, M., Griggins, C., & Duval, R. (Eds.). (1982). Disabled People as Second Class Citizens. New York: Springer.

Vash, C.L. (1981). The Psychology of Disability. New York: Springer.

## SINCE THE COMPANY BOUGHT THE LAND

Some thirty years ago (back in the 1950's) there was a song which achieved more popularity than its artistic worth would have seemed to merit. Perhaps the secret of its meteoric rise had to do with its universal appeal and prophetic overtones. As a song, it wasn't much, but it was subject to all sorts of interpretations: and it seemed to say a little to almost everyone. The refrain went something like this:

"The railroad runs through the middle of the house  
"Since the company bought the land."

For a long time the American Association of Workers for the Blind and the Association for the Education of the Visually Handicapped talked about merging and trying to pool their

efforts. In 1984 they finally got the job done—or, at least, the "merging" part of it. It yet remains to be seen what kind of coordinated program of action the new entity can conceive and maintain. The founding meeting was held in Nashville at the end of June.

The American Foundation for the Blind is extremely defensive and touchy when anyone even implies that it might be trying to take control of the lives of the nation's blind, of the professionals who provide service to the blind, and of everything connected with the field. Yet, the pattern which continues to emerge year after year is hard to mistake. For instance, the AAWB-AEVH merger (informally known as "The Alliance") is a case in point. The new organization (officially known as the Association for Education and Rehabili-

tation of the Blind and Visually Impaired) began its life in pleasant circumstances. The American Foundation for the Blind gave it a christening present worth over a million dollars. The minutes of the board of directors of the Association for Education and Rehabilitation of the Blind and Visually Impaired (AERBV) for June 28, 1984, say in part: "Kathy [this is Kathy Megivern] further explained that the \$1,960,000 being donated by AFB is in fact securities that will have face value of \$1.96 million in 30 years. We were transferred title of the securities. We will in fact receive \$156,412 a year fixed income. We have been receiving \$150,000 grant income over the past 3 years from AFB. Transfer of securities maintains basically same amount of support coming as investment income rather than going back to AFB each year for Grant."

This is what the minutes say. To which the American Foundation for the Blind might respond, "So what! Contributions from one charitable organization to another are commonplace. They are made all of the time. They do not necessarily imply control. We want nothing from the new organization, and we ask nothing."

Later in these same June 28 minutes the following passage occurs: "(3) MEMBERSHIP COMMITTEE: Bill Gallagher of AFB wants to be involved as Chairman of the Committee. Would like to expand membership to 10,000 before the 1986 meeting in Chicago. He wants to have a meeting of the committee in September with one person from each region. He will commit resources to bring committee together—provide travel where needed. He further offered resources of his

regional consultants and professional staff throughout the country to promote membership. President Welsh said we are ready as an association to stand behind commitment of one person for Region working with the committee and then take information back to groups."

This is not all we learn from the June 28 minutes. As Monitor readers know, the Journal of Visual Impairment and Blindness (JVIB) is the publication of the American Foundation for the Blind. It carries the Foundation slant and spreads the word. Under the item dealing with the publications committee the minutes tell us: "(4) PUBLICATIONS COMMITTEE: It is anticipated the year book will be out within 3 weeks (sometime in July). There was a question related to name change on Newsletter. Publications Committee discussed focussing on first three letters of Association name (AER). It was moved and seconded to adopt the "AER" acronym. Interim Board had made recommendations to continue EVH publication at rate of \$20 per year. It was felt that members should have equal opportunity to select JVIB or EVH. Make charge same, if one is free the other one free. Give equal status to JVIB as benefit of membership."

The June 28 minutes tell us that the organization (having decided not to attend the World Council for the Welfare of the Blind meeting in Saudi Arabia) decided to give its proxy to Grant Mack, President of the American Council of the Blind. The American Foundation for the Blind has announced that it, too, will not attend the Saudi Arabia meeting and that it will be sending a proxy.

Often minutes of meetings are uninformative and dull—but not always, not

necessarily. Railroading is a strenuous business, demanding and difficult. It requires skillful management, high finance, mergers, bail-outs—and yes, control. Sometimes when the company buys the land, it also gets the workers and publishes the journals and provides the engineers.

In conclusion the following facts are presented without comment: The proposed budget for the AER (the acronym by which the Association for Education and Reha-

bilitation of the Blind and Visually Impaired will apparently be known) is \$383,917. Its anticipated income is \$375,700. The largest item of income is \$156,412 from the American Foundation for the Blind. The second largest item of expense (exceeded only by salaries) is \$50,000, to be paid to the American Foundation for the Blind for its publication of the Journal of Visual Impairment and Blindness.

## NATIONAL CHARITIES INFORMATION BUREAU GETS NEW PRESIDENT AND ADMITS PAST MISTAKES

Fund Raising Management is one of the leading sources of information in the field of philanthropy. It publishes a monthly magazine, as well as weekly newsletters. It analyzes legislation and court decisions affecting philanthropy and fundraising for non-profit organizations, talks about the so-called "watchdog" agencies, and spotlights topics of general interest to the field. In its October 10, 1984, newsletter it carried an article of special interest to the blind. Here is what it said:

CHANGE IN DIRECTION FOR National Charities Information Bureau as agency appoints new president, Kenneth Albrecht, former vp at Equitable Life Assurance Society. Effective October 29. Announcement by NCIB chairperson Lloyd Gottlieb follows four months of

controversy surrounding agency's activities. Watchdog agency sets standards of performance for national charitable organizations that seek public support. Also publishes findings to encourage wise giving. Made available to public. Albrecht replaces M.C. Van de Workeen, who resigned in June following meeting of board of directors, which expressed need for change in leadership. Coinciding with announcement of new president, Gottlieb yesterday (October 9) released statement on NCIB policies. Responding to criticism from outside groups (most notably National Federation of the Blind, see FRM Weekly, 6/13, 6/20, 8/22 '84). NCIB accused by NFB of questionable financial reporting, disclosure practices, partisanship, conflicts-of-interests.

"The criticism has indicated to us

that we may need to do a better job of communicating with our donor and donee constituencies," acknowledged Gottlieb in statement. Albrecht chosen by search committee which reviewed 157 resumes over three months. Narrowed down to five or six candidates. "Difficult choice" but 49-year-old Albrecht got nod over other finalists "for his experience in the field for many years," explained Gottlieb. Headed ELAS's contributions program. With firm for 25 years. Also serves on boards of Independent Sector and Council on Foundations. Gottlieb also lauded Albrecht for his communication skills, which should "help bridge the gap that some of the public perceives between us and agencies." Albrecht's "level-headed, even-handed and fair-minded approach" well-suited to lead agency in new directions in NCIB's standards applications. Also, new NCIB head's age and career-level deciding factor for board.

Albrecht told FRM Weekly he made job change for the "larger management opportunity." Added that he's "excited and looking forward to leading one of the major players in the independent sector." Albrecht wouldn't comment on Van de Workeen's ouster, and said it was "too premature" to talk about any changes in NCIB or past criticisms of agency. Still meeting agency's board

members and staff. Gottlieb noted that Van de Workeen, who headed agency for 18 years, continuing to serve as special advisor to organization. In prepared statement, he admitted that "up to now, NCIB's way of handling policy information has been selective." Therefore, agency has modified policies regarding its reports. Among changes: NCIB will now seek from organizations about which it reports only the kind of information that is appropriate for helping potential contributors decide for themselves whether to give to the organization.

Another NCIB policy clarified is to put similar questions to all organizations it reviews. Not asking some for information which, under like circumstances, it would not ask from others. In addition, NCIB requesting information from organizations on periodic basis in order to keep its reports up to date. Also, structure its reports so that statements of fact separated from NCIB's conclusions. And, adhere to uniform, objective criteria in appraising conduct of organizations. "It is a fundamental commitment of the NCIB board that our organization will meet, if not surpass, the standards it sets for others," stated Gottlieb. Accordingly, NCIB will now openly disclose allocation of contributed funds, guard against conflicts of interest.

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## GROVE CITY NOT WHAT YOU MIGHT EXPECT

by Kenneth Jernigan

In 1984 (this year of debates and elections, ignorance and enlightenment) the name Grove City has come to have a special meaning for the disabled. It signifies complex legal distinctions, impassioned speeches about civil rights, and abstruse conundrums impinging upon Section 504 of the federal Rehabilitation Act. But there are other facets to Grove City, and there are other Grove Citys—in Ohio, for instance, as well as in Pennsylvania and a great many other states.

Perhaps Grove City is symbolic of the contradictions which characterize present-day America—not just in civil rights but in all of the time-honored values, and not just in Ohio or Pennsylvania but in the rest of the nation as well. If the police stop a car in which you are riding and arrest the driver, is it proper for them to leave you stranded on the street? Does it alter the circumstances if you are blind? Does such a situation indicate progress—or callousness? If you are blind and the police observe you entering a store with ease and counting your money without difficulty, are they justified in feeling that this proves you deserve no special treatment and can take care of yourself even though blind? Or does it indicate that their level of understanding is so antediluvian that they think you couldn't do these things if

you were blind and that, therefore, you are not blind but a fake?

And while we are on the subject, why was your companion arrested in the first place—and, for that matter, why were you not arrested? Did it have to do with your blindness? You were obviously ambulatory since you state that you got home under your own power with only annoying inconvenience, and your testimony is not contested. Did you tell the whole story to Mayor Evans? You must have told it substantially. Otherwise, the mayor would surely have used it in his defense instead of that lame statement: "If I can be of any further assistance, do not hesitate to contact my office." What assistance did he give?

But the contradictions are unending. They didn't arrest you when they stopped the car and hauled your companion away to the hoosegow, but they did arrest you later when you complained about it. And why didn't the mayor mention your arrest in defending his police department? Narry a word about it from him. The only thing convincing about his letter is its illiteracy. The man is in love with the apostrophe, apparently esteeming it as a hallmark of culture and learning.

Grove City, you continue to be an enigma. Perhaps you are the quintessential ichor of these waning years of

twentieth century America—the Freudian exemplification of this miserable, exciting, woebegone, futile, sanctimonious, admirable, scroungy, wonderful, low-down, dirty, sneak-thief, age. To paraphrase a somewhat frazzled-out country and western song:

Grove City, Grove City  
Grove City I cry;  
If Grove City don't kill me,  
I'll live till I die.

Recently I received without comment the following correspondence. I give it to you as I got it:

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Grove City, Ohio  
May 24, 1984

Dear Mayor Evans:

I'm writing to relate to you the details of an incident that occurred during the early morning hours of May 24, 1984. Let me preface my remarks by saying I am blind and have been blind for two years. Police officers with badge numbers 16 and 32 arrested the driver of the car I was in. I told badge #32 that I was blind but he offered no assistance whatsoever. They simply drove off and left me stranded. To the sighted this would be a mere inconvenience but to the blind it is a truly terrifying and dangerous predicament. I can see a little in daylight but at night everything is black. I was forced to inch my way home. I had to walk in the street to keep my bearings and did bump into several parked cars but eventually was able to make it home. Thank God I knew where I was and what direction to take to get home. Other-

wise, I would have been totally lost. Later when I complained to the police about this I was arrested. They seem to have no regard for personal safety. The ordeal they subjected me to was totally uncalled for. I trust that you can inject some measure of civility and common sense into their ranks before some other mindless act results in tragedy.

Sincerely,  
Michael L. Blower

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Grove City, Ohio  
May 30, 1984

Dear Mr. Blower:

In response to your correspondence May 24, please be advised that I have met with the proper members of the Division of Police concerning your complaint. Thus, be advised that it was mentioned you stated that you were blind, however the officer's had observed you enter the store, made a purchase and return to the vehicle unassisted. It was also stated that you do not carry the usual cane associated with the blind nor did you appear to have difficulty maneuvering steps, doorways, store aisles, items, or counting currency for your purchase.

With these facts, along with the fact the area was well lit, phone service was readily at hand, and the store clerk being present, I do not believe the officer's acted improperly.

In conclusion, if I can be of any further assistance, do not hesitate to contact my office.

Sincerely,  
Robert E. Evans, Mayor

## BRAILLE AT THE CROSSROADS

by Geoffrey Bull

(Note: Mr. Bull is President of Triformation Braille Service, Stuart, Florida. He delivered the following address Friday, July 6, 1984, at the convention of the National Federation of the Blind in Phoenix, Arizona.)

I would like to say just a few words about what's happened at Triformation over the last three weeks. I'm no longer director of Triformation Braille Service as part of Triformation Systems. I am now President of Triformation Braille Service, Inc., which is a free-standing company. The reasons for this are many, but primarily it is because in 1980 the hi-tech company, Triformation Systems, set up its Braille service as a department for evaluating its own equipment, and that child has now grown up—from a gross income of fifty thousand dollars in 1980 to a projected million-plus in 1984. The child has outgrown the care of its father; and now, Triformation Braille Service and Triformation Systems should concentrate on their own priorities.

I've heard one or two misgivings over the last couple of days. Some have said, "Is this new company going to survive?" The answer, of course, is yes. We have the same stage, the same actors, the same stage manager, the same enthusiastic and energetic staff, and we are dedicated to becoming the best and the biggest—and that's all. It's a

reasonable and modest goal. Don't you think? So, present customers, rest assured; and, future customers, come and see what we have to offer.

As with Gerry Kass, your President called me up two or three months ago and said, "Would you like to talk about Braille at our convention?"

And I said, "Certainly, there's always a lot to say about Braille. What shall we call it?"

And he came up with the title, "Braille At The Crossroads." Now, like Gerry, I've got to make the matter fit the title.

In reflecting, there were a number of items I wanted to talk about, but the one that I've settled on has proved so interesting (the more I investigated it) that I'm going to concentrate solely upon that. It's fascinating to learn that, without one word of collaboration, Kurt Cylke has set the stage for me in talking about the sale of Braille books. Because what I've got to say relates to the use and the cost of Braille and the relationship between those two.

Therefore, a very appropriate subtitle to my talk would be "Braille Need Not Be Expensive." I want NAPUB (the National Association to Promote the Use of Braille) to listen very carefully, and I certainly do apologize for not being there on Tuesday evening for their discussions. To be away from a new company only three weeks old for a whole week

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would be foolish, and it's only because of the nature of this organization that I've come away at this time for two or three days.

Let me begin by talking about the use of Braille. The statistics are familiar to many of you. I take as an example some figures I've drawn from the NLS network library services. There are one-half million people legally blind and physically handicapped using these services. Only 15,500 of those individuals are blind—except there are also a few hundred institutions and agencies using these services; but fifteen thousand (a mere three percent) are using the Braille services that the library offers. My first thought was: Maybe most of them are elderly—and for whatever reason (physically, mental, or inertia) perhaps they have not bothered to learn Braille. But 230,000 of those people are under 65 and are legally blind, and thirty thousand children are legally blind. So we have a problem. These NLS figures obviously do not tell the whole story.

It's difficult to get precise figures. Goldish, in his book, Braille in the U.S.A., said that eight to eleven percent of blind people use Braille—55,000. This compares fairly equitably with the figures often quoted in England, where we say, "Fifteen percent can read Braille, but only five percent regularly use Braille." This declining use probably horrifies us all, but is it declining? Perhaps we don't want to believe it's always been this way.

We might ask ourselves, "Why is the use of Braille declining?" Is it because of the availability of audio cassettes—synthetic speech? Is it because the limited material in Braille

gives people less incentive to learn it? Is it the cost? Is it the bulk? Is it because Braille is not taught often and well enough? There are possibly many reasons. As a Braille user for (dare I say?) more than forty years, it horrifies me to think that there are so many legally blind people who don't appear to use Braille. I use it every day of my life, and I can't imagine what it's like not to use it. Does this put them, in fact, into the illiterate class? Do they know how to spell?

It worries me very considerably; so, NAPUB, I think item number one on your agenda should be that we must try to get people more regularly to use and be taught Braille. NAPUB, we must be careful that the initials really stand for the "National Association to Promote the Use of Braille" instead of "No Action Puts Us Back." We must also be extremely careful that it doesn't mean "No Action Puts Up Braille"—because, let me get on to my main theme here about how use relates to cost.

There is a massive relationship between the number of copies of Braille produced and the unit cost. This is a vicious inverse relationship. I don't want anyone to leave this room over the next ten minutes, because you're going to be absolutely astounded at these figures. I'm going to smother you and startle you with statistics. Some of them are even new to me. I have learned them during the last few days, and looking at this matter much more closely, I'm amazed at what we could achieve.

Let's start by looking at literary Braille books. In 1980 we produced, on average, eighty copies of each book that the NLS (National Library Service for the Blind and Physically Handicapped)

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required. In 1984 that has dwindled to about sixty-eight copies of each book. Now, that (in itself) has increased our unit cost of producing each volume by twelve percent. In other words, it cost us in 1980 (this ignores inflation completely) let us say \$27 to produce one Braille volume, and it now costs \$30—just because the numbers have dwindled. I'll come back to books in a moment.

Let's look at throw-away material. Let's take, for example, two hundred pages of Braille. It does cost somewhere in the region of \$1,300 to produce the top-copy pages (the initial pages) to get them to the mass production stage, so by the time you've produced your first copy, probably \$1,400. In other words \$7.00 a page to produce your first copy. But if you produce fifty copies, you probably increase your total cost by \$200 and reduce your cost per page from \$7.00 to 16 cents. If you produce 100 copies, you've only spent another \$140, and your unit cost is down to eight and one-half cents a page; and at 200 copies it even gets more amazing. We're down to five and one-half cents a page.

It obviously gets less dramatic as the number of copies goes up. But what I'm saying is that if we could only get Braille used more (and produced, for instance, a thousand copies of an item), we would be down to two cents a page. And dare I dream for a moment to think of ten thousand copies, which is not unreasonable with the population of legally blind people being what it is. We could produce Braille at less than one cent a page. Can you imagine getting the Braille Monitor (160 pages) for \$1.30 per copy? You could if you produced 10,000 copies. Can you imagine

getting it for \$3.20 a copy? You could if you produced 1,000 copies at 160 pages per copy.

Let's get back to books. It has a great deal to do with what Mr. Cylke was saying earlier, and mark my word: We have not discussed this matter at all. I'm so happy I selected this subject. The figures are hard to believe. It now costs NLS about \$2,000 in order for each producer to produce 68 copies of a 180-page volume. Let's just fantasize for a moment and imagine that we could sell a thousand copies of a particular book—a one-volume book of 180 pages. In other words we'd produce fifteen times as many titles; and let's make them paperback, because covers are expensive. Two thousand dollars times fifteen. You'd initially think: Well, that's going to cost us \$30,000. Not a bit of it—not even \$20,000, not even \$10,000, not even \$5,000. It costs \$2,000 to produce the books we're producing today with 68 copies. I estimate that we could produce a thousand copies for less than twice that amount. Approximately \$3,600 would produce a thousand copies of a 180-page volume. Not \$30.00 a volume—\$3.60 a volume. We (by coincidence) currently spend almost precisely that amount on covers. Not \$75.00 for a 500-page book, but something like \$10.00 or \$11.00. And if we could dream for just one more moment and imagine that we had five thousand people (and, goodness me, why shouldn't we have five thousand blind people)—blind children, even—reading Braille? I conjecture that (given that the market was there and that we could be assured of it) technology is already available so that we could produce 500 pages of Braille (the sort of average-length 200 to 300-page

print book) for probably \$5.00 or \$6.00.

The same economics could apply (and may well apply) to cassette and disc Braille—and cassette paperless Braille and Braille on demand with fast printers. These were some of the other subjects I was going to talk about, but this one has so fascinated me (and it's so much a matter of the present) that I'm going to leave those matters for the time being.

Now, could these costs and use factors change NLS policy? Well, perhaps. They needn't. Perhaps we will keep the library copies with their sturdy covers and so forth, but they also may consider that (when you take into account the cost of storage, the cost of distribution, etc.), it might be cheaper just to produce the books and distribute them—maybe 500 or 1,000 copies for maybe the same amount that NLS is spending now: especially if you take into account storage and distribution costs. Maybe we, the producers, through our marketing—and maybe Braille readers, through their habits and attitudes—could promote the use of Braille and buying it. Because some way, ladies and gentlemen, we've got to stop this declining spiral of fewer copies, higher unit costs, less Braille, less incentive to learn, fewer copies, higher costs, and round and round and down and down we go. We must

concern ourselves with how long the powers that be will be persuaded to spend ten percent of NLS funds on what is currently three percent of its users. And this is something we have to concern ourselves very much about. So, NAPUB, we must also educate Braille readers that Braille can be cheap if they get up and use it.

We are at the crossroads here. As I look to the left, I see a road that's narrowing with grass already showing between the flagstones. There are a few books on the roadsides with nice, fancy covers—some hardly used, some a little bit tattered—because they're used constantly; but there are very few people walking along that road. However, if I look to the right, I see a very busy highway: throngs of people, Braille piled on both sides of the road, and people putting their hands in their pockets pulling out bills of relatively small denominations and purchasing that Braille, because they're buying it by the hundreds and thousands of copies. So, I don't know how much of this is possible. It seems to me quite possible. You see, Braille need not be expensive. In fact, between you and me, it need not be any more expensive—perhaps cheaper in some cases—than print.

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## 1984 NEW HAMPSHIRE CONVENTION

by Ed Meskys, Secretary

The 1984 New Hampshire convention was held in Manchester the weekend of September 28 - 30. The central event of the program was a political forum featuring the incumbent and challenging candidates for governor and U.S. senator. Thus, we had the opportunity to educate whoever was going to hold these offices in the program and philosophy of the Federation. We gave beforehand to all candidates our legislative fact sheets from the March Braille Monitor and the Kennelly Amendment from the May Monitor, copies of Have You Considered...? and other literature, and told them in advance that we would be questioning them about their responses to our specific goals. Both Governor Sununu and challenger House minority leader Spiro pledged to implement the Kennelly Amendment and to use the Job Training Partnership Act to prepare out-of-work blind people for meaningful jobs with upward mobility, and fighting existing work disincentives. Both Senator Humphrey and challenger Representative D'Amours promised to support our insurance bill, and D'Amours pledged to co-sponsor our current bill this week.

Friday night and Saturday noon we had exhibits featuring paperless Braille systems, the AVOS talking computer, a large print terminal, other devices from TSI and Triformation and Visualtek, and the Talkman and other devices from BIT;

and we distributed catalogs and sample publications from the American Brotherhood, National Braille Press, Dialogue, and Recorded Periodicals. The displays were very well received by our members, the candidates, and the general public and the press. We also had a specially modified bicycle which could be safely used by a blind person on abandoned railroad tracks.

Jim Gashel gave a stimulating and significant keynote address at our banquet Saturday night. Other speakers included Raymond Conley, head of the Governor's Commission for the Handicapped and Client Assistance Program; Robert Brunelle, head of the Department of Education; and Merryl Gibbs, head of the Human Rights Commission; on what we can find in their agencies which would assist us in our needs and goals. Also, Dr. Pierre Durand, a blind psychiatrist practicing in Manchester, spoke on challenges for the blind in the medical field.

In our elections Theresa Herron was elected President; Carol Holmes, First Vice President; Clyde Terry, Second Vice President; Vi Constant, Treasurer; and Ed Meskys, Secretary—all for two year terms. Dave Brownell was elected to the state board for a three year term. Al Constant continues on the board for a two year term and Ed Vachon for a one year term.

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**RECIPES**

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**PISTACHIO SALAD**

by Debbie Smith

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(Note: Debbie Smith is one of the leaders of the National Federation of the Blind of Idaho. She says of this recipe: "This salad is a family favorite and a popular dish with our local chapter. Good for picnics and pot lucks.")

2 cups crushed pineapple  
2 small pistachio instant pudding  
4 cups miniature marshmallows  
12 oz. cool whip

Mix pineapple and instant pudding. Add marshmallows and cool whip and serve.

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**FRIENDSHIP CAKE**

by Melanie Rudell

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(Note: Melanie Rudell is one of the leaders of the NFB of Wyoming.)

Combine in glass jar. Stir several times the first day and each day for two weeks.

**FRIENDSHIP STARTER:**

3/4 cup drained canned peaches cut into pieces  
3/4 cup crushed pineapple  
6 maraschino cherries, halved  
1 1/2 cups sugar  
1 package active dry yeast

Now you have your STARTER and are ready for step two.

In glass gallon jar add 1 1/2 cups starter, 2 1/2 cups sugar, 32 oz. sliced peaches with juice. Stir daily for 10

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days. KEEP JAR LOOSELY COVERED. On 10th day add 20 oz. crushed pineapple in juice, 2 1/2 cups sugar. Stir daily for 10 days. On 20th day add 20 oz. maraschino cherries well drained, 2 1/2 cups sugar. Stir daily for another 10 days. On 30th day bake cakes. For cakes you need to drain all juice off fruit. Keep juice to give 4 friends and some for yourself. There is enough fruit for 3 cakes. For each cake mix (white) add 3 tbsp. flour, 1 box instant vanilla pud-

ding, 2/3 cup salad oil, 4 eggs, 1 tsp. vanilla, 1 cup walnuts (optional), 1 1/2 cups fruit. Preheat oven to 350 degrees. Mix above ingredients with a large spoon. Do not use blender or mixer. For each cake grease and flour pans needed. You can bake 1 bundt cake or 5 regular loaf pans or 8 to 10 mini loaf pans. Bake for 50 to 60 minutes. Cakes freeze very well. Give them for gifts. Have a good time. It is really a lot of fun!

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## MONITOR MINIATURES \* \* \* \* \*

on."

### \*\*Amateur Radio Network:

Patrick Gormley, 955 Chesapeake Drive, Deale Beach, Maryland 20751, writes:

"Shortly after the national convention, I learned from Lloyd Rasmussen about the formation of an amateur radio network. The net meets at 1:00 p.m. eastern time (1600 Z) on 20-meters on 14.285 Mhz. This net has proven to be not only effective in helping people upgrade (four days ago Jim Schaefer passed his extra), but we were also able to help a sighted ham who checked in two weeks ago get in touch with a chapter near to a relative of his who was losing his sight. Unlike the ACB net, all the net controls and relay stations have strong signals and are spread out over a wide geographic range for maximum effectiveness. Any Federationist who holds a General Class O license or higher is welcome. Check in whenever the net is

### \*\*No-Fault Buy-Back Guarantee Program:

We have received from Visualtek the following announcement:

"Visualtek today announced a one year no-fault buy-back guarantee program from its headquarters in Santa Monica.

"The program provides customers with a one-year unequivocal buy-back on electronic video visual aids purchased by them which they feel, for whatever reason, they can no longer use. Under the program Visualtek will buy back the equipment at original purchase price less a nominal monthly usage fee.

"This program is the first of its kind in the visually impaired market and may well be the first of its kind in any industry. The program is expected to appeal to those customers who may have reservations about near-term equipment purchase, and is designed for both individual purchasers and institutional pur-

chasers. Inquiries about the program may be directed to Colem Enge, Director of Marketing, at 213-829-6841."

\*\*From Kentucky:

Mary Beaven, Corresponding Secretary of the NFB of Kentucky, writes concerning the state convention:

"The NFB of Kentucky held its annual state convention at the Howard Johnson Hotel in Louisville on September 14-15, 1984. Elected to office were Betty Niceley, President; T.V. Cranmer, Robert Page, and John Stealle, Vice Presidents; Charles Allen, Recording Secretary; Mary Beaven, Corresponding Secretary; Cathy Jackson, Treasurer; and Orville Phillips, Chaplain.

"Adopted were six resolutions: one addressed to the directors of higher education concerning the training of persons who will be teaching blind and visually impaired children; one addressed to the Kentucky School for the Blind dealing with the teaching of Braille; two addressed to the Library for the Blind and Physically Handicapped urging their cooperation in a survey to determine the number of Braille readers in Kentucky, as well as the deplored of the use of the talking book library as a name for an agency which also distributes both Braille and large print materials. Another resolution to the Department for the Blind regarding the loan of expensive equipment on a temporary basis and another addressed to Departments for the Blind, Transportation, and Finance urging the implementation of the Kennelly amendment for the establishment of vending stand locations along state highways.

"Among our special guests were former Lieutenant Governor Thelma Stovall,

State Senator David Karem, and State Representative Fred Cowan. Attending from the national office were Joyce Scanlan, who delivered a very inspiring keynote address on Saturday evening at our banquet; and Mary Ellen Anderson, who hosted a very informative meeting on Sunday morning for planning of the 1985 national convention.

"We are looking forward to seeing all of you next July at the Galt House for the best national convention ever."

\*\*No Longer Ordering:

Charles Biebl writes:

"I'm no longer ordering Bibles for interested persons, effective the month of publication in the Monitor. However, Braille Bibles can be had absolutely free of charge from Braille Bible Foundation, 4096 N.E. Sixth Avenue, Oakland Park, Florida 33334. The New Testament is in four volumes, and the Old is in fourteen. The Bible is available only in Braille from them and only in the King James Version (KJV)."

\*\*Teacher Recognized:

There was a time when blind persons were uniformly rejected in their attempts to become teachers. Then, the climate changed to the extent that there were a few exceptions. There is still a degree of discrimination, and we cannot claim that the blind are routinely accepted or turned away purely on the basis of their capacity and merit. However, the blind person in the classroom is no longer a novelty. Debbie Butler is a successful school teacher in Virginia. She was featured in the September 17, 1984, Ledger Star of Portsmouth, not so much because she is blind as because she is a good teacher

with a positive philosophy and a message to convey. She manages to get into the article that she is the Second Vice President of the National Association to Promote the Use of Braille (NAPUB) and that she is a working member of the National Federation of the Blind. The article conveys a positive image about blindness. It educates—and this implies more than just perceptiveness on the part of the reporter. It means that Debbie was doing her work and getting in her licks to change public attitudes.

**\*\*Information Wanted for Survey:**

We have been asked to carry the following information in the Monitor. It was sent to us by Murl Hazen:

"I am a blind student in the School of Management at the State University of New York at Binghamton, serving as a research assistant to Dr. James E. Stacey. We are beginning to prepare a research project on the training and success of handicapped management students. In order to prepare this project, it is necessary to survey blind or visually handicapped students, both past and present, with an emphasis on business degrees sought and received. This survey should include: type of college, degree sought, degrees earned, employment-degree fit (did the student find employment in a non-sheltered position in the field he or she sought), and MBA students and graduates.

"I request that a survey of this nature be included in your publication as speedily as possible. All information secured will be held in strictest confidence. Responses should be sent to Professor James Stacey, School of Management, State University of New York at Binghamton, Binghamton, New York 13901."

**\*\*Raffle:**

We have been asked to carry the following announcement:

"The National Federation of the Blind of Louisiana, Inc. is holding a raffle as a state fundraising project. The first prize is \$10,000.00 in cash, and there are 5 additional prizes of \$200.00 each. There are only 250 tickets being printed and sold, and each ticket sells for \$100.00. This makes your odds of winning the \$10,000.00 first prize 1 in 250, and of winning one of the \$200.00 prizes 1 in 50. Tickets may be purchased until April 1st, 1985. The drawing will be held at the conclusion of the banquet address at the 1985 state convention of the NFB of Louisiana which will be held during April, 1985. You do not have to be present at the convention to claim your winnings. All Federationists are encouraged to buy one of these tickets if they can, and local chapters and state affiliates, as well as other divisions within the NFB, are also asked to purchase a ticket if they can. The proceeds go into the NFBL general operating budget. Make checks payable to the NFB of Louisiana, Inc., and mail them to: Victor S. Hemphill, Chairman, Fund Raising Committee, NFB of Louisiana, Inc., Post Office Box 1592, Houma, Louisiana 70361-1592."

**\*\*Business Career Opportunity:**

We have been asked to carry the following announcement. We have no data beyond what we are printing:

"Business Career Opportunity for the Blind and Physically Handicapped—International Disabled Marketing Associates—Multi Level Marketing—Operate From Your Own Home or Business—Part Time or Full Time—No Experience Necessary—Free

Introductory Cassette Available. Contact Mr. Jack H. Morgan, 438 Cypress Street, Lehighton, Pennsylvania 18235; telephone from 9:00 a.m. - 5:00 p.m. E.S.T. (215) 377-4650."

**\*\*New State Presidents:**

In elections since the national convention in Phoenix there have been at least seven new state presidents elected: Marc Maurer succeeded James Omvig as President of the National Federation of the Blind of Maryland; Jacquilyn Billey succeeded Howard May as President of the National Federation of the Blind of Connecticut; Christine Roberts succeeded Jim Walker as President of the National Federation of the Blind of Nebraska; Barbara Pierce succeeded Bob Eschbach as President of the National Federation of the Blind of Ohio; James Rowell succeeded Byron Sykes as President of the National Federation of the Blind of North Carolina; Lee Jones succeeded Art Dinges as President of the National Federation of the Blind of Arizona; and Richard Gaffney succeeded Edmund Beck as President of the National Federation of the Blind of Rhode Island.

**\*\*Changes at the Helen Keller National Center:**

Jules Cote', Assistant Director of the Helen Keller National Center for Deaf-Blind Youths and Adults, is now re-

sponsible for the agency's field services. He will be supervising the center's ten Regional Offices and twenty-five Affiliated Agencies and National Training Team. Before coming to the Helen Keller Center in 1979, Cote' was the Superintendent at the South Dakota School for the Visually Handicapped in Aberdeen. Cote' is also a former director of services for the blind in New Hampshire. Cote' replaces Dean Wyrick as head of the field operations of the Helen Keller National Center. Wyrick left the agency earlier this year. The Helen Keller National Center operates a national evaluation training program for the deaf-blind.

**\*\*Large Print Computer Adaptation:**

ARTS Computer Products, Inc. (145 Tremont Street, Suite 407, Boston Massachusetts 02111) has announced the development of software which enlarges and enhances print on the video screen of an IBM Personal Computer. The program, called PC LENS, enlarges and colors characters which appear on a monitor. The program allows for horizontal and vertical scanning and is reported to be compatible with most application software. It is necessary to have an IBM PC with at least one disk drive and 192K of memory. Further information and a demonstration disk may be obtained from ARTS Computer Products, Inc.



THE BRAILLE MONITOR

1800 JOHNSON STREET

BALTIMORE, MARYLAND 21230

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